

OFFICIAL REPORT OF PROCEEDINGS
BEFORE THE
NATIONAL LABOR RELATIONS BOARD
REGION 19

In the Matter of:

Starbucks Corporation, Case No. 19-RC-289827

Employer,

and

Workers United,

Petitioner.

Place: Seattle, Washington (Via Zoom Videoconference)

Dates: February 25, 2022

Pages: 1 through 147

Volume: 1

OFFICIAL REPORTERS
eScribers, LLC
E-Reporting and E-Transcription
7227 North 16th Street, Suite 207
Phoenix, AZ 85020
(602) 263-0885



UNITED STATES OF AMERICA
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Case No. 19-RC-289827

The above-entitled matter came on for hearing, via Zoom videoconference, pursuant to notice, before **HELENA FIORIANTI**, Hearing Officer, at the National Labor Relations Board, 915 2nd Avenue, Suite 2948, Seattle, Washington 98174-1006, on **Friday, February 25, 2022, 9:58 a.m.**



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A P P E A R A N C E S

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I N D E X

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>VOIR DIRE</u>
Jacob Fullerton	18	39	44		
Mike Callahan	46				52,119

E X H I B I T SEXHIBITIDENTIFIEDIN EVIDENCE**Board:**

B-1 (a) to B-1 (f)

9

9

B-3

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B-4

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Employer:

E-1

53

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E-13

117

121

E-14

124

126

E-22

114

115

P R O C E E D I N G S

HEARING OFFICER FIORIANTI: We are on the record.

COURT REPORTER: We're on the record.

HEARING OFFICER FIORIANTI: The hearing will be in order.

This is a formal proceeding in the matter of Starbucks Corporation, case number 19-RC-289827, before the National Labor Relations Board. The hearing in this matter is being conducted via Zoom. The hearing officer appearing for the National Labor Relations Board is Helena A. Fiorianti.

All parties have been informed of the procedures of formal hearings before the Board by a service of a description of procedures in certification and decertification cases with the notice of hearing. I have additional copies of this document for electronic distribution if any party wants more.

I wish to inform all parties and observers that the official reporter makes the only official transcript of these proceedings, and all citations and briefs and arguments must refer to the official record. I want to stress the fact that anything spoken in this Zoom hearing room while the hearing is in session and we are on the record will be recorded by the official court reporter.

In the event that any of the parties wish to make off-the-record remarks, requests to go off the record to make such remarks should be directed to me, the hearing officer, and not to the official reporter.

1 Each party should be prepared to provide specific reasons
2 in support of any motion or objection in as concise a matter as
3 possible. Exceptions automatically follow all adverse rulings.
4 The objective of the hearing officer in these proceedings is to
5 ensure that the record contains the full statement of the facts
6 as may be necessary for determination of the issues by the
7 Board.

8 All parties will be afforded full opportunity to present
9 their respective positions and to produce evidence in support
10 of their intentions. It may become necessary for me to ask
11 questions, call witnesses, or explore avenues with respect to
12 matters not raised, or only partially raised, by the parties.

13 At this time, will counsel please state their appearances
14 for the record. For Petitioner?

15 MR. WHITE: Michael White and Dmitri Iglitzin from
16 Barnard, Iglitzin & Lavitt for Workers United.

17 HEARING OFFICER FIORIANTI: Thank you. And for the
18 Employer?

19 MR. HAMMOND: Ryan Hammond and Alyson Dieckman from
20 Littler Mendelson on behalf of --

21 HEARING OFFICER FIORIANTI: You're on mute in the
22 beginning.

23 MR. HAMMOND: Oh. Ryan Hammond and Alyson Dieckman on
24 behalf of Starbucks Corporation. We're with the law firm of
25 Littler Mendelson.

1 HEARING OFFICER FIORIANTI: Thank you. Are there any
2 other appearances? Let the record show no response. Are there
3 any other persons, parties, or labor organizations in the
4 hearing room who claim an interest in this proceeding? Let the
5 record show no response. I'm sorry what was that? Oh, okay.

6 All counsel, parties, and witnesses are asked to speak
7 loudly and clearly. Counsel, parties, and witnesses will be
8 asked to spell the names of persons and places on their first
9 mention for the convenience of the court reporter and the
10 accuracy of the record.

11 The parties are encouraged to attend this hearing in a
12 space that is free from distracting background noises. I
13 request that person set the angle of their camera, particularly
14 witnesses, such that I can see their waist and hands. Although
15 if I find it necessary, I'll request that as we go.

16 When you are speaking on the call, please keep your
17 microphone muted to cut down on -- when you are not speaking on
18 the call, please keep your microphone muted to cut down on
19 distractions. This request, of course, does not apply to
20 witness -- to the witness who is currently testifying or to
21 counsel who may need their microphones unmuted to make timely
22 objections.

23 Both counsel and witnesses will be reminded to wait two to
24 three seconds before responding to questions to allow for the
25 potential for an objection. In the event an objection is

1 raised, witnesses should not respond to the question until a
2 ruling is made on the objection.

3 The parties are reminded that there should be no
4 communication or coaching of witnesses while testimony is
5 ongoing. Witnesses should not have any extraneous documents or
6 other notes present with them while testifying.

7 The parties were encouraged to circulate exhibits
8 electronically in advance of the hearing. For additional
9 exhibits, or before you introduce an exhibit with the witness,
10 please circulate those exhibits electronically as we discussed.
11 Any party who will be reviewing exhibits should be accessing
12 them through a high-speed internet connection. If a party
13 presenting an exhibit can also share their screen so that
14 everyone, and particularly the witness testifying, is on the
15 same page as to what we're looking at, that would be ideal.

16 Aside from the Employer's Petition to Revoke Petitioner's
17 subpoena, are there any other pre-hearing motions made by any
18 party that need to be addressed at this time? Mr. White?

19 MR. WHITE: None from the Petitioner.

20 HEARING OFFICER FIORIANTI: Mr. Hammond?

21 MR. HAMMOND: None from the Employer.

22 HEARING OFFICER FIORIANTI: Thank you. All right. And
23 with respect to the Petition to Revoke that was referred to me
24 by the Regional Director, I informed the parties in an off-the-
25 record discussion just prior to the opening of the hearing, and

1 I'll repeat now, that the Region is deferring ruling on the
2 Petition to Revoke for the time being. We will revisit it
3 after the Employer has presented its evidence to see whether I
4 need to rule or whether any outstanding issues have been
5 resolved.

6 I now propose to receive the formal papers. They have
7 been marked for identification as Board Exhibits 1(a) through
8 1(f) inclusive, Board Exhibit 1(f) being the index and
9 description of the entire exhibit. The exhibit has already
10 been shown to all parties. Are there any objections to the
11 receipt of these exhibits into the record. Mr. White?

12 MR. WHITE: No objections.

13 HEARING OFFICER FIORIANTI: Mr. Hammond?

14 MR. HAMMOND: No objections.

15 HEARING OFFICER FIORIANTI: Hearing no objections, the
16 formal papers are received into evidence.

17 **(Board Exhibit Number 1(a) - 1(f) Received into Evidence)**

18 HEARING OFFICER FIORIANTI: Are there any motions to
19 intervene in these proceedings to be submitted to the Hearing
20 Officer for ruling? Let the record show no response.

21 Are there any pre-hearing motions made by any party that
22 need to be addressed at this time? Let the record show no
23 response.

24 The party -- in off-the-record discussions, I understand
25 the parties are working through a Board Exhibit 2, with various

1 stipulations. I'm going to hold off on -- on trying to admit
2 Board Exhibit 2 until the parties are further along.

3 The Employer has completed and I have marked for
4 identification as Board Exhibit 3, its Statement of Position,
5 in this matter. Are there any objections to the receipt of
6 this exhibit into the record? Mr. White?

7 MR. WHITE: No objections.

8 HEARING OFFICER FIORIANTI: Mr. Hammond?

9 MR. HAMMOND: No objections.

10 HEARING OFFICER FIORIANTI: Hearing no objections, Board
11 Exhibit 3 is received.

12 **(Board Exhibit Number 3 Received into Evidence)**

13 HEARING OFFICER FIORIANTI: The Petitioner has completed
14 and I have marked for identification as Board Exhibit 4 its
15 Responsive Statement of Position in this matter. Are there any
16 objections to the receipt of this exhibit into the record? Mr.
17 Hammond?

18 MR. HAMMOND: No objection.

19 HEARING OFFICER FIORIANTI: Mr. White?

20 MR. WHITE: No objections.

21 HEARING OFFICER FIORIANTI: Hearing no objections, Board
22 Exhibit 4 is received.

23 **(Board Exhibit Number 4 Received into Evidence)**

24 HEARING OFFICER FIORIANTI: Before the hearing closes, and
25 we just discussed the parties plan to introduce a Board Exhibit

1 labeled Board Exhibit 5, charting the other petitions currently
2 pending in other regional offices involving other facilities of
3 the Employer and those petitions' current status.

4 With respect to the issues for this hearing, based on the
5 positions of the parties as set forth in the Employer's
6 Statement of Position and Petitioner's Responsive Statement of
7 Position, there appear to be two areas of dispute but only one
8 of them that will be litigated during this pre-election
9 hearing. Primarily, Petitioner's petition seeks a single
10 facility bargaining unit comprised of employees of the
11 Employer's facility located at 3625 Broadway, Suite A, Everett,
12 Washington.

13 The Employer, however, contends in its Statement of
14 Position that the smallest appropriate bargaining unit is a
15 unit covering the Employer's 11 total stores in district number
16 125. The Employer is advised that because single facility
17 bargaining units are presumptively appropriate under Board law,
18 the burden lies with the party seeking to rebut that
19 presumption, and the Employer must present specific detailed
20 evidence in support of its position. General conclusory --
21 conclusionary statements by witnesses will not be sufficient.

22 The second issue is that Petitioner's petition for
23 bargaining unit includes the assistant store manager. The
24 Employer contends that assistant store managers are statutory
25 supervisors within the meaning of Section 2(11) of the Act.

1 The Regional Director has determined that it is
2 appropriate to defer litigation on this issue as the issue
3 relates to the eligibility or inclusion of a number of
4 employees constituting less than 20 percent of a unit involved,
5 whichever way the unit is defined, which would not
6 significantly impact the size or the character of the unit.

7 Thus, in the event that the Regional Director directs an
8 election in this matter, any individuals holding the title of
9 assistant store manager will vote subject to challenge, and a
10 determination on their inclusion or exclusion will be
11 determined in a post-election proceeding, if necessary.

12 Thus, we won't be litigating anything related to the
13 assistant store managers supervisory status or inclusion within
14 the unit during this pre-election proceeding.

15 Finally, both parties agree to -- well, I believe the
16 parties are going --

17 Off the record.

18 (Off the record at 10:08 a.m.)

19 HEARING OFFICER FIORIANTI: Back on the record. Thank
20 you. It's my understanding that the parties will be agreeing
21 to a mail ballot election in their Board Exhibit 2, but since
22 they are still working on that we will -- we will deal with
23 that -- that exhibit later.

24 Prior to the close of the hearing, I will allow each party
25 to briefly state their position as to all election details

1 including the proposed ballot mail-in date, the need for
2 foreign language ballots and notice of election, et cetera.
3 With that, if the parties, at this point, would like to make
4 some brief openings statements, you're more than welcome to do
5 that. Starting with the Employer. Mr. Hammond.

6 MR. HAMMOND: Yes, thank you. In this matter the petition
7 was filed by Workers United on January 31st, 2022, seeking to
8 represent a single Starbucks location located at 3625 Broadway
9 in Everett, Washington, also referred to as store 8740. The
10 Broadway store in Everett is part of a broader administrative
11 district of Starbucks stores known as District 125. District
12 125 covers stores in Everett, Marysville, Snohomish, Lake
13 Stevens and Monroe, all of whom are managed at the district
14 level by Mike Callahan.

15 The purpose of this hearing is to determine whether all
16 partners in District 125 will be permitted to vote. Starbucks
17 takes the position that all partners in District 125 should be
18 permitted to vote and have a voice in this process. Such a
19 result is necessary because the outcome of the election will
20 impact all partners within the district, and the structure of
21 Starbucks' operation demands it.

22 The testimony in this hearing will show that the store in
23 District 125, under the supervision of Mike Callahan, works and
24 functions as a cohesive unit and that the primary authority
25 over what occurs within the district resides with Mr. Callahan.

1 You will hear testimony that District 125, both in concept and
2 in fact, maintains a family-like atmosphere. The stores within
3 District 125 have a similar customer demographic and a similar
4 partner experience.

5 The district works towards goals at the district level.
6 The district conducts hiring -- hiring at the district level.
7 Stores within District 125 lean on each other when they are in
8 need. They provide support to each other as necessary. When
9 supplies are in short demand, for example, the stores look
10 within the district, first and foremost, to fill those needs.

11 Mike Callahan is in the district -- or in the stores
12 within District 125 regularly, if not weekly. He's in the
13 store for business purposes and as a customer. He visits
14 stores as a customer because he enjoys the customer experience
15 and the opportunity to connect with the partners in his
16 district.

17 He -- he knows all the partners within his district and he
18 cares about their personal progression and -- and career
19 progression. Many of the partners know his family members
20 including his children who will go with him as he visits the
21 stores. Mike has a personal interest in the success and
22 experience of each partner within this district and sets
23 district-wide goals to help the partners succeed.

24 For example, at the district level Mike has set the goal
25 to have 80 percent of partners be partner trainers. He does

1 this to help advance the career of partners within the district
2 but also to facilitate training throughout the district.
3 Partners in stores within the district will train new partners
4 at other stores.

5 Similarly, the district has set goals related to the
6 promotion of shift supervisors and assistant store managers.
7 The district will look at partners and needs throughout the
8 district to fill shift supervisor needs and assist the store
9 manager needs. In doing so, it's not uncommon for partners in
10 one store to move to another store within the district to
11 facilitate promotional opportunities within the district.

12 Mike, not the store managers, is involved in and oversees
13 management of the stores within this district. It is the
14 district manager who decides the store head counts, the hiring
15 of shift supervisors, the hiring of assistant store managers
16 and store managers, final decisions on final written warnings
17 and separations, transfers and layoffs, and recall of partners.
18 The oversight provided to each store in District 125 by the
19 district manager provides consistency and operations that unify
20 partners' terms and conditions of employment within the
21 district.

22 Across the district the work duties are the same. The
23 skills to perform the job are the same. The nature of their
24 supervision is the same. The limited authority of store
25 managers is the same. The equipment in each store is the same.

1 The products are the same. The training is the same. The
2 compensation is the same. The benefits are the same. The
3 policies are the same. The ability to transfer between stores
4 is the same. Disciplinary standards are the same. The labor
5 relations resource functions are the same, and all the
6 similarities between stores operating within the district
7 overwhelmingly outweigh any differences.

8 Not only are the store operations the same, but you will
9 receive evidence of substantial and frequent interchange of
10 partners in the store in the district. When shifts within
11 District 125 need to be filled, the first and most common
12 option is to have the shifts filled by partners within the
13 district.

14 The substantial level of interaction -- of integration
15 that exists between Starbucks locations and District 125
16 compels a district-wide vote. If a single store bargaining
17 unit is permitted, it will, without any question, have an
18 impact on the terms and conditions of all partners within
19 District 125.

20 For these reasons and more, the Region should acknowledge
21 the integration and interconnectedness of the district and
22 order an election that includes the partners of all stores
23 within District 125. Thank you.

24 HEARING OFFICER FIORIANTI: Okay. Mr. White?

25 MR. WHITE: Thank you, Madam Hearing Officer. I -- I'll

1 be brief. Regions across the nation have uniformly held that
2 Starbucks cannot meet its heavy burden in overcoming the single
3 store presumption. Region 3 has held so twice. Region 28 also
4 twice. Region 19 issued a decision upholding the single store
5 presumption a week ago, and Region 10 issued a decision
6 yesterday. The Board has denied review in two of these cases.

7 Ultimately, Starbucks' model has not changed in the seven
8 days since the Seattle 1 decision and direction of election.
9 Nor has it changed in the two days since the Board denied
10 review in the Mesa case.

11 Mr. Hammond mentioned all these things about Starbucks
12 such as the same products, layout, benefits, and so on, that
13 they're the same across the district, but that's not limited to
14 the district Starbucks' model, as these factors apply
15 nationwide.

16 As a result, Starbucks cannot meet its heavy burden to
17 show that store 8740, known as the 37th & Broadway Store in
18 Everett, is so effectively merged or functionally integrated
19 with other stores in district 12 that it has lost its separate
20 identity.

21 HEARING OFFICER FIORIANTI: Okay. Thank you. It was
22 determined prior to the start of this hearing that Petitioner
23 will present a witness first to ensure we get to that witness
24 today. Is Petitioner ready to present its witness at this
25 time?

1 MR. WHITE: Yes, just one moment. Madam Hearing Officer,
2 the Union calls Jacob Fullerton.
3 Whereupon,

4 **JACOB FULLERTON**

5 having been duly sworn, was called as a witness herein and was
6 examined and testified as follows:

7 **DIRECT EXAMINATION**

8 Q BY MR. WHITE: Good morning, Mr. Fullerton. Can you
9 please state your name and spell it for the record?

10 A My name is Jacob Fullerton, spelled J-A-C-O-B
11 F-U-L-L-E-R-T-O-N.

12 Q Great. And can we all call you Jacob?

13 A Absolutely.

14 Q Thank you. Are you alone right now?

15 A Yes.

16 Q Do you have any notes or documents in front of you?

17 A No.

18 Q Who's your current employer?

19 A Starbucks.

20 Q What position do you have with Starbucks?

21 A I am a shift supervisor.

22 Q How long have you been working for Starbucks?

23 A I've been working for Starbucks since May 27th of 2021.

24 Q What posi -- what position were you hired for?

25 A Shift supervisor.



1 Q What's your typical schedule?

2 A My typical schedule is I work most days other than
3 Thursday and Sunday. I am a closing shift supervisor
4 primarily. Every once in awhile I work a mid-shift. And my
5 typical hours are two or three days a week around 12 to 1 p.m.
6 to 7:30 p.m. And then a couple other days a week around 2:45
7 or 3:00 p.m. to 7:30 p.m.

8 Q What's your responsibilities as a shift supervisor?

9 A My responsibilities are, of course, maintaining and
10 running a shift, coaching, putting people in the right
11 positions, making sure that other employees are feeling heard,
12 that if there's any issues that arise or if there are any
13 staffing issues, that they're communicated with the store
14 manager. And then, of course, customer service.

15 Q How many employees do you typically supervise during your
16 shift?

17 A At once, or across a whole shift, collectively?

18 Q Let's go with both, but we'll start with across a whole
19 shift.

20 A Across a whole shift, I believe the most at any given time
21 would be six or seven people, usually one would be on a break.

22 Q And then --

23 A And then -- oh, across the whole shift, sorry. Across the
24 whole shift it would be closer to ten people or so or eleven.
25 And then at any given one time the average, I would say, would

1 be about five people or so.

2 Q Who do you report to at your store?

3 A I report to Ming Liu.

4 Q Can you spell that for me, please?

5 A M-I-N-G, and then I believe his last name is L-I-U.

6 Q And what position does Ming hold at the store?

7 A Ming is the store manager.

8 Q Do you know how long Ming has been the store manager?

9 A I'm not certain. However, I believe he began working at
10 the store sometime in April, about a month before I was hired
11 or so.

12 Q April of 2021?

13 A Correct.

14 Q Does your store have any assistant store managers?

15 A Yes. Currently, our assistant store manager is Judy Tam
16 and that is spelled J-U-D-Y. And then I think the last name is
17 T-A-M or T-A-H-M.

18 Q Does your store have a comanager or has it had a
19 comanager?

20 A It has had a comanager at one point. That would have been
21 Lovett Shazier. Lovett's spelled L-O-V-E-T-T, I believe. And
22 Shazier, I think, was spelled S-H-A-Z-I-E-R.

23 Q Is Lovett the current comanager?

24 A No.

25 Q When did Lovett work in the store?

1 A I believe Lovett worked in the store from sometime in
2 either late September or early October to roughly sometime in
3 December, although I'm not certain as the time frame. It was
4 about two to three months.

5 Q And that was during 2021?

6 A Correct.

7 Q So I'd like to talk about how you came to work at
8 Starbucks.

9 A Um-hum.

10 Q Can you tell me how you applied to Starbucks?

11 A Yeah. I applied on their job portal on the career portion
12 of their website. That would have been sometime in early 2021,
13 I think between February and April, I'd say. And on their
14 portal, they -- they have a bunch of -- you have to -- at the
15 time at least, you had to go to each individual store and
16 search it and then apply directly to each one. So it was quite
17 a lengthy process to send out a bunch of applications to all
18 the different stores in my area.

19 Q Did you specifically apply to 37th & Broadway?

20 A That was not the store I had in mind when I applied. The
21 one I had in mind was about two feet on foot -- or two minutes
22 on foot from my house. However, I generally, just applied to
23 anywhere within a five-to-ten-mile radius of myself.

24 Q So let me just recap. This store wasn't your preferred
25 store, but did you directly apply to 37th & Broadway?

1 A I directly applied to 37th & Broadway; it was not my
2 preferred store though, correct.

3 Q What happened after you applied?

4 A It took a month or so to hear back, I believe. I -- I had
5 thought that I just wasn't going to receive any calls. But I
6 was called by Ming, from 37th & Broadway, and he wanted to
7 bring me in for an interview.

8 Q So Ming called you for an interview.

9 A Yep.

10 Q Did he conduct your interview?

11 A Yes. My interview was conducted by both Ming and Marissa,
12 the assistant store manager at the time. Marissa is spelled
13 M-A-R-I-S-S-A.

14 Q Thanks. What happened after your interview?

15 A I received a call, roughly a week or two later, by Ming
16 verbally offering me the job. And then a background process
17 started. It was -- it was a little bit chaotic. I think
18 everything at that store was kind of just chaotic at the time.
19 And so there was a little bit of confusion, and it took a
20 couple weeks to get that figured out, and then I went in and
21 did paperwork.

22 Q Are you familiar with the first sip program?

23 A Yes.

24 Q What is that?

25 A The first sip program, from what I understand, is when

1 you're newly hired and you're basically going over your role
2 and all the typical onboarding processes after you've done
3 paperwork and everything, you sit down with your hiring manager
4 and you both enjoy a sip of coffee and learn how to smell it
5 and all that kind of stuff.

6 Q Who conducted your first sip?

7 A My first sip was conducted by Tom Bosserman who was my
8 trainer.

9 Q Can you spell Tom Bosserman for me, please?

10 A Yes. T-O-M, Bosserman B-O-S-S-E-R-M-A-N.

11 Q From your understanding is it typical for a nonstore
12 manager to conduct a first sip?

13 A No

14 Q Why's that?

15 A From my understanding typically the first sip is the store
16 manager and anyone that's been onboarded, not typically a
17 barista or a supervisor or anyone below the standing of store
18 manager.

19 Q Have you ever conducted a first sip for any --

20 A Absolutely not.

21 Q -- new employees?

22 A None, no.

23 Q Sorry, Jacob. Just can you let me finish asking --

24 A So sorry.

25 Q What happened after your first sip?

1 A I -- I continued training.

2 Q Tell me about your training.

3 A Yeah, my barista training was again, with Tom Bosserman.
4 It consisted of computer training, sitting down and talking
5 about the general role, and then hands-on training on the
6 floor.

7 Q During your training, did you hold the position of shift
8 supervisor or were you considered a barista during that time?

9 A I was paid on shift supervisor scale, so I believe I was
10 considered a shift supervisor.

11 Q Did you go through shift supervisor training?

12 A Yes. After a couple weeks of doing practice shifts as a
13 barista so I understood the role, I started shift supervisor
14 training.

15 Q Who conducted your shift supervisor training?

16 A Primarily it was conducted by Ming.

17 Q What was that training like?

18 A A lot of expectations, learning some terminology, teaching
19 me how to use the safe, do money, and then general -- other
20 more general day-to-day tasks were done by other shift
21 supervisors. But the finer points of it all were done by Ming.

22 Q So you got hired with your store. How did you communicate
23 your availability for shifts?

24 A Typically, my availability I communicate with Ming in
25 person. And we'll either edit it with -- I'll either

1 collaborate with him to edit it on the computer that he's
2 usually at or I will change my availability on the Partners app
3 and then send him a text and let him know and kind of
4 coordinate with him.

5 Q How does scheduling work within your store?

6 A Typically, partners from what I understand will have their
7 availability, and then either Ming or now, Judy, our assistant
8 store manager, has taken to doing the scheduling. But
9 typically, it was Ming. He would spend a good portion of a
10 Monday creating and building the schedule and then sending it
11 out. Usually posting it in paper form and posting it on the
12 fridge, I believe, two to three weeks in advance.

13 And then also communicating it on our either our Crew or
14 GroupMe app depending on when the time frame is that we're
15 talking about.

16 Q Tell me about the GroupMe app.

17 A So the GroupMe app was a -- it's a third-party
18 application, kind of a like Facebook chat or other just chat
19 thing but for a broader scope. And that was one we used
20 previously and it was initially ran by and administrated by
21 Lovett, the old comanager.

22 However, we now use another third-party app called Crew to
23 discuss store matters. We'll post schedules on there and then
24 for a great deal of time we also would notify like callouts and
25 you know, find shifts and stuff through that app as well.

1 Q Do you recall when GroupMe came into effect in your store?

2 A I believe GroupMe came into effect sometime in October.

3 It would have been around when Lovett -- a couple weeks after
4 Lovett came to the store, I think.

5 Q To your knowledge, is this an official Starbucks program?

6 A Not that I know of. No.

7 Q Do you know why that is?

8 A I -- I don't have any specific knowledge as to why
9 Starbucks doesn't, you know, use or endorse it. I don't even
10 know if they -- if it's allowed or not. So yeah, I don't know.

11 Q How did the Crew app -- how did its use come into
12 existence?

13 A The Crew app came into existence after Lovett transferred
14 out of our store. Lovett was still the administrator for
15 GroupMe and he would still pop on there and talk. However,
16 some of the supervisors and partners felt uncomfortable with
17 that and so they wanted to create a -- another chatroom and
18 they just decided to use the Crew app instead because they
19 liked the functionality better than they used previously.

20 And so our morning shift supervisor, Stephanie Heizen --
21 or Heizen, spelled S-T-E-P-H-A-N-I-E. And then I -- the last
22 name I would butcher if I tried to spell it but I think
23 H-E-I-Z-E-N or H-A-I or I don't know, something. She created
24 the GroupMe and administrates it and I think she appointed Ming
25 the administrator of the Group -- sorry, the Crew app not

1 GroupMe, and appointed Ming the administrator as well.

2 Q Do you know if any other stores in District 125 use
3 GroupMe?

4 A I have no knowledge of that, no.

5 Q Did you have access to any other stores GroupMe's in
6 District 125?

7 A No.

8 Q What about Crew? Do you know if any other stores in
9 District 125 used the Crew app?

10 A I have no knowledge of that, no.

11 Q Do you have access to any other stores in District 125's
12 Crew app if they use it?

13 A I do not, no.

14 Q Or either GroupMe or Crew app -- do any employees over
15 than Lovett, outside of your store, have access to those apps?

16 A Do those employees have access to those apps? Maybe.

17 None of them have access to our GroupMe, however, or to our
18 Crew app --

19 Q Sorry. I -- I --

20 A -- or chat.

21 Q -- should have specified. Sorry, I should have specified.

22 Do they have any access to your store's messaging group?

23 A They do not.

24 Q What type of things are posted on Crew or GroupMe?

25 A Yeah, on the 37th & Broadway's store chat we have -- we

1 typically, there's two sub chats, there's the everyone chat,
2 that includes everyone in the store except for maybe one or two
3 people, that I think there's a limit to how many people you can
4 have in the chat maybe; I think it's 27 or something. So it
5 contains almost everybody, save one or two people.

6 And then there's another supervisor sub chat that only
7 just contains the -- Judy, Ming and then the supervisors. And
8 in the supervisor chat, typically, it's information regarding
9 store meetings, operational issues, or information that doesn't
10 necessarily pertain to all baristas or the knowledge doesn't
11 need to be given to all baristas.

12 For the everyone chat typically, we're talking about --
13 typically, a schedule will be posted. Usually, we'll talk
14 about -- for the longest time we were doing like if we needed
15 to call out or call out sick, we would post it on there and get
16 shift coverage.

17 However, recently it has started being enforced after the
18 petitioning process that we need to actually call the store
19 which was never a rule before, or at least never a rule, to my
20 knowledge, that we followed.

21 And then general like hey, can we make sure we don't do
22 this or hey, good job with this kind of stuff.

23 Q So you mentioned posting sick leave there, so I just want
24 to confirm --

25 A Um-hum.

1 Q -- that if you needed to call out sick before the recent
2 enforcement of Starbucks policy, you would post to GroupMe or
3 Crew?

4 A Correct. Typically, I see partners posting there to get
5 coverage and notify people. I, myself, usually end up texting
6 Ming directly, or you know, Ming and Lovett, or at that time,
7 and notifying them that I've never once gotten any kind of
8 coaching conversation about that not being appropriate in the
9 past.

10 Q How do you request vacation time off?

11 A Yeah. Typically, if it's within, I believe, a month of
12 when you would want to request it off, say I wanted to request
13 March 24th off, so within a month. I believe you can't use the
14 functionality on the Starbucks Partner Hours app. You would
15 have to specially communicate and request any scheduling issues
16 with your store supervisor.

17 Or in a case recently, there's a concert I'm going to be
18 seeing in -- on the 12th of March. I, specifically, asked
19 Judy, who's doing the scheduling, to schedule me for a pre-
20 close shift, so I would be able to get to the concert in time.

21 If we're talking unpaid time off or vacation time and it's
22 more than a month out, then typically, you can submit a time-
23 off request through the Partner Hours app, and it is either
24 approved or denied by me.

25 HEARING OFFICER FIORIANTI: Just for clarification, you

1 mentioned a store supervisor who you would have to submit your
2 request for if it was within the month. Did you mean store
3 manager?

4 THE WITNESS: Yes, sorry.

5 HEARING OFFICER FIORIANTI: Thank you.

6 Q BY MR. WHITE: What do you do if you need to swap a shift
7 with someone?

8 A Typically, with shift swapping, we would just do it over
9 Crew or in person. There have been many times recently with
10 the subpoena, I informed my store manager that my shift on --
11 well, today, would need to be covered.

12 And there in the store another shift supervisor
13 volunteered to take the shift for me. That's typically how I
14 found myself swapping shifts is just in person and over a
15 verbal agreement or a text agreement.

16 Q So I'd like to discuss how you manage your shift.

17 A Um-hum.

18 Q Can you tell me how you assign people roles in your store
19 when you're working as your -- in the shift supervisor
20 position?

21 A Um-hum. Yeah, typically, I go around to every one on the
22 shifts, ask how long they've been on a particular position to
23 make sure no one's burned out. For instance, if you're working
24 the drive-thru window, typically, I -- we don't want anyone to
25 be on there for more than about two hours in a day. So I make

1 sure everyone's got fresh legs on whatever role they're on.

2 And then as people come on the floor to start their shift,
3 or as things get mixed around, I, typically, just do what A)
4 both makes sense to me for the skill level or what I see as
5 being the most successful place in the people and then B) I
6 factor in personal feelings because not everyone's always going
7 to come to work and be able to perform every role to the best
8 of their abilities.

9 Q Are you familiar with Starbucks' Playbuilder app?

10 A I'm familiar with it, yeah.

11 Q Do you use it?

12 A Almost never.

13 Q I guess let's back up a little bit. What is the
14 Playbuilder app?

15 A The Playbuilder app from my understanding is a -- it's a
16 layout of our store or in any given Starbucks their store. And
17 then it has, I believe, hour by hour, different -- and by how
18 many partners you have, different layouts for where people
19 should be and what roles should exist within a store.

20 For instance, if you have a certain number of people,
21 maybe you'll need two people on bar, two people on a drive-thru
22 window, or warmer, someone up front, someone doing a customer
23 support role, that kind of stuff. And then, perhaps, if you
24 have less people maybe you'll have a solo bar. It will show
25 you where you need people, and you can go in there and click on

1 a role and assign a person to it.

2 Q So you mentioned you almost never use Playbuilder. Why is
3 that?

4 A I find it to be far less intuitive than being able to
5 stand there and observe what's going on and know our people. I
6 don't think some application can tell me if the partners that I
7 work with every day are going to be able to handle being on a
8 role, or you know, one bar partner who's incredibly skillful,
9 may free up another partner to not have to be on bar, and then
10 open up the possibility of being able to impact the store in a
11 greater way.

12 Q Have you ever been disciplined for not using Playbuilder?

13 A No.

14 Q So you mentioned that when you started in the store a
15 barista trainer provided you with training. Are you a barista
16 trainer?

17 A I am not.

18 Q Do you have regular evaluations in your store?

19 A To my knowledge, I've only had one evaluation.

20 Q What is -- who conducted that evaluation?

21 A That evaluation was conducted by Ming.

22 Q Do you know what Starbucks called that eval -- that type
23 of evaluation?

24 A I'm uncertain as they seem to have two very similar
25 evaluations or discussions, or whatever. I know there's a PDC,

1 I believe, and then a PDP. I'm not sure what the distinction
2 is.

3 Q What was your evaluation like?

4 A My evaluation was a one-on-one sit down with Ming. We
5 talked about my role, how I felt, what areas of growth he sees
6 or I see for myself. Yeah.

7 Q Does your store conduct any meetings specific to shift
8 supervisors?

9 A Yes.

10 Q Tell me about those.

11 A We used to have shift supervisor meetings with management
12 maybe once a month on average, I believe. And then after our
13 petition process the day of, they bumped it up to weekly
14 supervisory meetings. So we've been doing weekly Zoom
15 supervisor meetings now.

16 Q Who attends your supervisor meetings?

17 A On an average supervisor meeting, it is everyone on the
18 shift supervisor team, plus Ming and Judy.

19 Q How do you log your time at Starbucks when you're at work?

20 A Yeah, so they have a time clock on the iPads there. And
21 you log in with your partner number and your pin, and you
22 either start your shift meals or end your shift. If you skip a
23 punch or say if the system's down, typically, you write it in
24 the logbook for either Ming or Judy to edit the punch, or add,
25 you know, hours maybe if you have meeting hours or training

1 hours, they'll add those in there for you.

2 Q How do those hours get into Starbucks' time management
3 system?

4 A I'm not certain. I would imagine that Starbucks uses a
5 time management system somewhat close to, you know, other
6 companies, maybe it's proprietary, but I would imagine that the
7 manager would be entering those hours. Oh, if I may. I do
8 remember one part about that.

9 Q Sure thing.

10 A On the Partner Hours there have been times where maybe a
11 punch was inaccurate and I've been able to go on there and
12 select that I want to dispute it. And then Ming can review
13 that and either edit it, as I believe it to be, or we talk
14 about it and then he can edit that.

15 Q Do you feel that your store has any unique aspects to it?

16 A Yes. Recently our store was designated military family
17 store.

18 Q What's that?

19 A From my understanding of what we're told to say, it is a
20 store that is for military families and members of the
21 community that support military and anyone who has been
22 affected by the military in any way. So it's rather ambiguous.

23 Q Do you know why your store is a military family store?

24 A I don't have any explicit statement. However, my guess
25 would be because we are in a very close proximity to -- to a

1 Navy base.

2 Q When did your store become a military family store?

3 A We were remodeled -- I believe the dates were between
4 January 17th and the 23rd or 24th.

5 Q What did that remodeling consist of?

6 A Closing down the store. We got some upgrades. We moved
7 the drive-thru speaker, the bars, painted the walls, and then
8 we also have a little hip mural with helicopters and other
9 military style -- stylings on it.

10 Q Is there any other features in the store related to being
11 a military family store?

12 A Not that I'm aware of.

13 HEARING OFFICER FIORIANTI: I'm sorry. That's January,
14 that's 2022?

15 THE WITNESS: Correct.

16 Q BY MR. WHITE: Are you familiar with the term borrowing?

17 A Yes.

18 Q What does borrowing mean in Starbucks parlance?

19 A In Starbucks terms, borrowing is when a partner goes to
20 another store for a shift or we, as a store, borrow another
21 partner for a shift at our store.

22 Q How often do you see borrowed partners in your store?

23 A How often have I witnessed it? I believe three to five
24 times in my almost nine months with Starbucks.

25 Q Do you borrow to other stores?

1 A I'm almost certain I've only borrowed to another store
2 about three times.

3 Q Can you tell me why you decided to borrow in another
4 store?

5 A Yeah, I decided to borrow to another store during our
6 remodeling because I wanted hours and I wanted money.

7 Q So just so -- I'm making sure I understand. Your store
8 was closed and so you didn't have any shifts during that time?

9 A I believe I had one shift and it was for a meeting or to
10 reset the store to get it ready to open the next day. But
11 other than that, there were no shifts of mine, to my knowledge,
12 during remodeling.

13 Q What factors do you consider when you're looking to borrow
14 at another store?

15 A I would say other than proximity to my location, I don't
16 really think of any other factors other than money.

17 Q Is whether a -- whether a store has been in your district,
18 District 125, does -- has that ever factored into your decision
19 on whether to borrow at a different store?

20 A No.

21 Q Have you ever been told it's preferred that you borrow at
22 a store within District 125?

23 A I've never been told that, to my recollection, no.

24 Q Have you ever been mandated to borrow a shift at another
25 store?

1 A Never been mandated, to my knowledge, no.

2 Q Have you ever been told that you would be disciplined if
3 you failed to borrow at a store other than your home store?

4 A No.

5 MR. WHITE: Madam Hearing Officer, can I take a couple of
6 minutes to review my notes?

7 HEARING OFFICER FLORIANI: Sure. Off the record.

8 (Off the record at 10:55 a.m.)

9 HEARING OFFICER FLORIANI: Thank you.

10 Mr. White?

11 Q BY MR. WHITE: Hello again, Jacob. I just have a couple
12 more questions for you. One is I want to go back to your
13 hiring. You mentioned that you had an interview with Ming and
14 your assistant store manager. Did anything else happen in
15 between that and your hiring?

16 A Yes. I had a peer interview with another store manager in
17 Lake Stevens.

18 Q Do you recall who that was?

19 A I don't remember the name of the manager now.

20 Q Have you had any further interactions with that manager?

21 A No.

22 Q And just can you remind me who offered you the job?

23 A Ming.

24 Q When you're running a shift, what happens if an employee
25 calls out sick with little notice?

1 A That happens from time to time. Typically, what happens
2 if it's looking like we'll be fine, we're able to just kind of,
3 you know, tighten our laces and get things done. However,
4 often as someone calls out on such short notice on a shift of
5 mine, which would be a closing one, typically, we don't have
6 enough time to course correct by that point in the day. So
7 often what will have to happen is I'll have to call up Ming or
8 text Ming and ask them to turn off our mobile orders. I'll
9 tell him that I may have already turned off Uber Eats. In more
10 extreme cases, there have been times where I've asked Ming to
11 allow me to close the lobby. And in, I believe, one, maybe two
12 extreme cases, we -- Ming has made the decision to close down
13 the store early.

14 Q I just want to ask a couple of things about what you just
15 discussed. So first off, what's mobile ordering?

16 A Mobile ordering is done through the Starbucks app on the
17 app store. You can create your profile on there, connect your
18 payment forms and stuff, and then you can select a store near
19 you as long as they have their mobile ordering on. And you can
20 make your own -- choose how you want your own drink to be made
21 and then send it on over and it'll print out a -- a drink
22 ticket in the store and just slap that on a cup and make it.

23 Q How does Uber Eats work in your store?

24 A To my knowledge, Uber Eats works through the Uber Eats app
25 or -- you have the Uber Eats app, you can go on and select a

1 Starbucks store you want to Uber Eats from and select what
2 items you want from that store. On the store side of things,
3 we receive tickets for Uber Eats deliveries, and that's just
4 another channel that we have to worry about. So we'll have to
5 prep all that, put it all in a bag, and then the Uber Eats
6 delivery driver will come and pick up a customer's order and
7 deliver it to them.

8 MR. WHITE: Madam Hearing Officer, no further questions.

9 HEARING OFFICER FLORIANI: Ms. Dieckman, do you have
10 cross-examination?

11 MS. DIECKMAN: I do, but may I have five minutes to
12 prepare?

13 HEARING OFFICER FLORIANI: Of course.

14 MS. DIECKMAN: Thank you.

15 HEARING OFFICER FLORIANI: All right. So we'll be off
16 the record until 11:20.

17 (Off the record at 11:12 a.m.)

18 HEARING OFFICER FLORIANI: Okay.

19 Ms. Dieckman?

20 **CROSS-EXAMINATION**

21 Q BY MS. DIECKMAN: Hi, Mr. Fullerton. Is it okay if I call
22 you Jacob?

23 A Yeah.

24 Q My name is Ali Dieckman. I'm one of the attorneys for
25 Starbucks. And I was -- I just have a few questions for you.



- 1 Do you know what district number your store is in?
- 2 A Off the top of my head, I could not recall.
- 3 Q Do you know who your district manager is?
- 4 A Yes.
- 5 Q What's his name?
- 6 A Mike Callahan.
- 7 Q Do you know Mike?
- 8 A On a personal level or professionally?
- 9 Q Either.
- 10 A On a personal level, no. Professionally, yes. He comes
- 11 in from time to time.
- 12 Q Do you -- have you and Mike ever had conversations one on
- 13 one?
- 14 A To the best of my knowledge, not one on one.
- 15 Q What about with other shift supervisors, have you ever
- 16 been in a meeting with Mike and the other shift supervisors?
- 17 A Yes.
- 18 Q Do you have access to Mike's phone number in the store?
- 19 A I'm sure there's a business card lying around.
- 20 Q The reason I ask is, so if you can't get a hold of Ming,
- 21 if you need to change the channels, as I understand they're
- 22 called, within the store --
- 23 A Um-hum.
- 24 Q -- who would you call if you couldn't get in touch with
- 25 Ming?

- 1 A I would call Judy.
- 2 Q If you couldn't call -- if you couldn't get in touch with
- 3 Ming or Judy, would you call?
- 4 A Likely, Mike.
- 5 Q Got it. When you went through your supervisor training
- 6 with Ming, did he show you the Playbuilder?
- 7 A I can't recall.
- 8 Q Was it ever communicated to you that there's an
- 9 expectation that you utilize the Playbuilder?
- 10 A During training or in general?
- 11 Q Ever.
- 12 A Yes.
- 13 Q When?
- 14 A I can't pinpoint a time exactly. I think within the last
- 15 couple of weeks, it's been iterated ever since petitioning.
- 16 Q You mentioned that you guys have supervisor meetings and
- 17 that the supervisors are there and that your store manager and
- 18 your assistant store manager go. Does Mike ever go to those
- 19 meetings?
- 20 A Has my Mike ever been to one? Yes.
- 21 Q And then you mentioned that you borrowed to another store
- 22 in January of 2022 when the store was undergoing a remodel?
- 23 A Correct.
- 24 Q What store was that that you borrowed to?
- 25 A 10th and Broadway.

1 Q Is 10th and Broadway in the same district as your store?

2 A Yes.

3 Q You also mentioned that you engaged in a peer interview at
4 the Lake Stevens store with the Lake Stevens store manager,
5 right?

6 A Correct.

7 Q Do you know what district the Lake Stevens store is in?

8 A I have no knowledge of what district the Lake Stevens
9 store is in.

10 Q I'm going to show you what's been marked as Employer
11 Exhibit Number 1.

12 MS. DIECKMAN: And I apologize, Madam Hearing Officer, I
13 realize now that this -- I just saw the postmaster delivery
14 failure, that my exhibits didn't come through to you, but I
15 will -- I will resend them, as soon as we break, via BizCom.
16 Let the record reflect I'm showing the witness an exhibit that
17 has been marked as Employer Exhibit 1. I'll zoom in a little
18 bit for you, because it's kind of small.

19 THE WITNESS: Thank you.

20 Q BY MS. DIECKMAN: Can you see that?

21 A Yes.

22 Q Now, which store was it that you interviewed at --
23 interviewed with the store manager for in Lake Stevens?

24 A None of these explicitly say Lake Stevens. So by the
25 process of elimination, I would guess Frontier Village --

1 Q Okay.

2 A -- or Bickford. I don't know. I think that's Snohomish.

3 Q Yeah. It would be a little helpful if they had the city
4 name in here; wouldn't it?

5 A Yeah. Yeah. I don't know the spy store number (phonetic)
6 or anything.

7 Q Okay. One second. I'm going to stop sharing my screen.

8 HEARING OFFICER FLORIANI: Do you want to edit the
9 exhibit to put the city names in?

10 MS. DIECKMAN: I can do that.

11 HEARING OFFICER FLORIANI: Okay. Thank you.

12 MS. DIECKMAN: Yeah.

13 Q BY MS. DIECKMAN: If I were to represent to you that the
14 Frontier Village store is the Lake Stevens store, would that
15 sound correct to you?

16 A Sure. I -- I don't know if there are any other Starbucks
17 stores in Lake Stevens. So if that were the case, then I
18 wouldn't be able to make the distinction.

19 Q Okay. And if -- and based on this exhibit that I showed
20 you, which is a list of the stores in your district --

21 A Um-hum.

22 Q -- would that confirm that the Frontier Village in Lake
23 Stevens store is in your district?

24 A I -- I wouldn't be able to make that connection.

25 Q Okay. Understood.

1 A If you were to tell me that was the sole Starbucks in Lake
2 Stevens and that that sole Starbucks is in my district, then I
3 would say yes.

4 HEARING OFFICER FLORIANI: Well, let's move on, please.

5 MS. DIECKMAN: Yeah. That's fine. No further questions.

6 HEARING OFFICER FLORIANI: Anything further based off of
7 that, Mr. White?

8 MR. WHITE: Yes. Just a couple quick questions.

9 HEARING OFFICER FLORIANI: Sure.

10 **REDIRECT EXAMINATION**

11 Q BY MR. WHITE: Again, Jacob, so Ms. Dieckman asked you
12 about if you could call your district manager to shut down
13 channels, can you just confirm what those channels are for me
14 first?

15 A Yeah. Typically, the first channel to go would be Uber
16 Eats, and I have the ability to turn that off myself as a
17 supervisor. It's just asked that we communicate that to the
18 manager. The next would be mobile order and pay. Then it
19 would be closing the lobby. And then after that it would be
20 closing the entire store.

21 Q Have you ever contacted your district manager to shut
22 those down?

23 A Not to my recollection, no.

24 MR. WHITE: No further questions, Madam Hearing Officer.

25 HEARING OFFICER FLORIANI: I just have one clarifying

1 question. And in response to questions from Mr. White and to
2 questions asked by Ms. Dieckman, you referred to petitioning.
3 I presume that that relates to this filing of the Union's
4 petition in this case; is that correct? Just to clarify.

5 THE WITNESS: This is correct.

6 HEARING OFFICER FLORIANI: Thank you.

7 Anything further, Ms. Dieckman, from the witness?

8 MS. DIECKMAN: No.

9 HEARING OFFICER FLORIANI: Mr. White?

10 MR. WHITE: Nothing further.

11 HEARING OFFICER FLORIANI: Thank you, Mr. Fullerton.

12 THE WITNESS: Thank you.

13 HEARING OFFICER FLORIANI: You're excused.

14 THE WITNESS: Thank you.

15 (Off the record at 11:29 a.m.)

16 HEARING OFFICER FLORIANI: Thank you. Okay. I
17 understand, Mr. Hammond, you are prepared to call a witness at
18 this time?

19 MR. HAMMOND: That's correct.

20 HEARING OFFICER FLORIANI: You may proceed.

21 MR. HAMMOND: The Employer calls Mike Callahan.

22 HEARING OFFICER FLORIANI: And Mr. Callahan, could you
23 please raise your right hand?

24 Whereupon,

25 **MIKE CALLAHAN**



1 having been duly sworn, was called as a witness herein and was
2 examined and testified as follows:

3 **DIRECT EXAMINATION**

4 Q BY MR. HAMMOND: Mike, can you spell state your full name
5 for the record, please?

6 A Yes. It's Mike Callahan, M-I-K-E C-A-L-L-A-H-A-N.

7 Q And where are you currently employed?

8 A Starbucks.

9 Q And what is your position at Starbucks?

10 A District manager.

11 Q And how long have you held that position?

12 A I've been in the role for just about six years.

13 Q What district are you currently the district manager of?

14 A I support District 125.

15 Q How long have you been in the district manager of District
16 125?

17 A Almost two years.

18 Q Can you just kind of walk us through what you did for
19 Starbucks before being the district manager of District 125?

20 A Like from the beginning or just -- or just prior?

21 Q Let's start from the beginning at Starbucks, at least.

22 A Okay. Sure. I started out in 2005 -- or 2002 as -- as a
23 barista in Southern California. I did that -- I was in that
24 role for a couple of weeks and then was promoted to supervisor.
25 I was in the supervisory role at various stores throughout

1 Southern California for about two years. And then promoted to
2 assistant store manager in -- in Southern California for a
3 couple of years. In 2005, I was promoted to store manager in
4 Southern California. And then in 2007, I got the opportunity
5 to promote to district manager for a remote district in
6 Arizona. I was in that role for about 18 months and then
7 stepped down to store manager in Arizona. For about four and a
8 half years, I was a store manager in Arizona and Southern
9 California. And then for eight months, I did a temporary
10 district manager position in Southern California. In 2015, I
11 moved up to Washington and took a store manager role for 18
12 months in North Seattle. After that, I had the opportunity to
13 have a district manager role in Woodinville, which is in
14 Snohomish County in Washington. I was in that role for about
15 three and a half years or so, and then had the opportunity to
16 transfer to this district in Marysville, which is where I live.

17 Q When you were the district manager for the district in
18 Woodinville, you said you did that for three and a half years?

19 A Roughly, to my knowledge, yeah.

20 Q And where were the -- were they all the stores in
21 Woodinville for that district or were they in the surrounding
22 area?

23 A Oh, yes. I supported Woodinville. I supported North
24 Kirkland. I supported Duvall. I supported Monroe. I
25 supported Kenmore. And I also supported a couple of stores and

1 Bothell.

2 Q You said that you were a store manager for a store in
3 North Seattle; what store was that?

4 A That was Northgate drive through.

5 Q And then you mentioned that you were eight months in a
6 temporary position, is that true?

7 A Yeah. I -- I -- sorry.

8 Q It's fine.

9 A Yeah. In an eight-month time-limited assignment for
10 district manager in Southern California prior to -- prior to
11 transferring to Washington.

12 Q And why was at a time limited assignment; do you know?

13 A I was covering a maternity leave.

14 Q You made reference to when you were in Arizona as a
15 district manager, that it was a remote district; what is that?

16 A Yeah. I had districts that were on the -- I had
17 districts -- sorry -- I had stores in Arizona and California
18 right on that national U.S. border. And I was about two and a
19 half to three hours away from the -- the larger south San Diego
20 area.

21 Q What is your -- what are the job responsibilities of your
22 position as a district manager?

23 A I mean, primarily, I view my role as -- as supporting the
24 partner and customer experience at Starbucks and helping
25 partners to find success, both professionally and personally,

1 as -- as a result of the work that we all do together.

2 Q Your role is an operational role, as I understand it?

3 A Yeah. It's -- it's -- it's operational. It's -- it's --
4 it's consulting in nature.

5 Q What stores are in your current district?

6 A Yeah. I have two stores, going from the south to north
7 and I have two stores that are in Monroe. I have two stores
8 that are in Snohomish. I have one store in Lake Stevens. I
9 support two stores in North Everett. I support three stores in
10 Marysville and one store in Tulalip.

11 Q I am showing you now it's been marked as Exhibit 1.

12 A Um-hum.

13 Q Are you able to see that?

14 A I sure can.

15 Q Okay. And so there was some question earlier -- this
16 refers to Frontier Village, is that -- what store is that
17 store?

18 A Yeah. That store's -- that store's in Lake Stevens. It
19 is -- that is the name of the shopping center that the store is
20 in.

21 Q Okay. And then 37th and Broadway, the first one, that's
22 the petition for a store.

23 A Um-hum.

24 Q And then the second one indicates it's in Marysville. The
25 Bickford Avenue, is that in Snohomish?

- 1 A Yes.
- 2 Q And where is the 4th and 47th?
- 3 A Marysville.
- 4 Q And then there's just one here at 3392 that says
- 5 Snohomish. Do you know approximately where that store is
- 6 located?
- 7 A Yeah. It's -- it's on Avenue D in Snohomish.
- 8 Q Monroe Plaza, I'm assuming that's in the city of Monroe?
- 9 A Yes.
- 10 Q And Broadway and 10th, where is that store?
- 11 A That is in Everett on 10th and Broadway across the street
- 12 from Everett Community College.
- 13 Q So it's on the same street as the petition for a store at
- 14 37th and Broadway, it's just in northern Everett as opposed to
- 15 south Everett?
- 16 A Yes.
- 17 Q And then the next one there on State Route 2, I assume
- 18 that's Monroe?
- 19 A Um-hum.
- 20 Q Is that a yes?
- 21 A Yes, it is.
- 22 Q Okay. And then the Seattle, you've got Marysville Gateway
- 23 Center, which I'm assuming is in Marysville. And then Seattle
- 24 Premium Outlets, is that the one that's in Tulalip?
- 25 A It is, yes.

1 Q Do you know if there's any rhyme or reason as to why these
2 stories are in your particular district?

3 A Yeah. I mean, there's a -- there's a myriad of -- of --
4 of reasons, some of it is geographical proximity. A lot of it
5 is also what we would consider a mini market or an area that we
6 have partners and customers that are kind of, you know, the
7 same demographics, same type of customer base, things like
8 that.

9 Q Were the -- you said earlier that you had responsibility
10 for the Monroe stores when you were the district manager in
11 Woodinville. Is that the same two stores that are now in your
12 district today?

13 A It is, yes.

14 Q And do you know why those stores moved from the district
15 you had in Woodinville to your current district, 125?

16 A Yeah. We were looking at our five-year plan and asking
17 ourselves, essentially as a team, what would be the way that
18 would be most meaningful to align our districts based off of
19 that mini market concept that I shared with you and what we saw
20 coming in the next five years. And in the past, Monroe --
21 Monroe was typically a part of this district, as they see the
22 partners work closely together, they have a lot of the same
23 customer base, there's -- there's proximity factors at play.
24 And even -- you know, even at times when they weren't a part of
25 the same district, because of the preexisting relationships

1 they had when they were, they were working together.

2 Q And so those factors you talked about were more prominent
3 in District 125, as opposed to the district that was in
4 Woodinville?

5 A Yeah. The district in Woodinville -- as -- as I shared,
6 has -- had a ton of different cities and had -- had a lot of
7 different dynamics from a demographic factor that made it a
8 little more complex than -- than having a district that has
9 some of those similar factors.

10 MR. HAMMOND: I offer Employer Exhibit 1.

11 HEARING OFFICER FLORIANI: Any objection, Mr. White?

12 MR. WHITE: Madam Hearing Officer, may I have voir dire?

13 HEARING OFFICER FLORIANI: Sure.

14 **VOIR DIRE EXAMINATION**

15 Q BY MR. WHITE: Good afternoon, Mr. Callahan. My name is
16 Mike White -- Michael White. I am one of the attorneys for
17 Workers United. First, can I call you Mike?

18 A Absolutely.

19 Q Great. I'm -- I go by Mike or Michael, so either way.
20 Thanks for that.

21 MR. WHITE: Ryan, would you like me to pull up Exhibit 1
22 or you want to go back to it? Either way works for me.
23 Great. Thank you.

24 Q BY MR. WHITE: Mike, can you see that okay?

25 A Absolutely.



1 Q So this is the district as it stands today, correct?

2 A Yes.

3 Q And you mentioned that you've had stores come in to the
4 district; was that while you were district manager?

5 A Yes.

6 Q Did you have any stores leave the district since you --

7 A I did not.

8 Q Okay. When did those stores come into the district?

9 A October of 2021.

10 Q Was that just the two Monroe stores?

11 A Yes.

12 Q And can you remind me what district they were part of
13 before that?

14 A Prior to that, they were part of District 117, which is
15 Woodinville.

16 Q Okay. And how long were they in District 117; do you
17 know?

18 A Yeah. It was about a period of -- give or take, four or
19 five years. They were -- four or five years prior they had
20 realigned based off of the -- the way that the organization was
21 growing at that time.

22 Q And then before that, they were in District 125?

23 A Yes.

24 Q Thanks, Mike.

25 MR. WHITE: Madam Hearing Officer, no objections.

1 HEARING OFFICER FLORIANI: Okay. Employer's Exhibit 1 is
2 received.

3 **(Employer Exhibit Number 1 Received into Evidence)**

4 Q BY MR. HAMMOND: Within your district, Mike, who, if
5 anyone, reports to you?

6 A Predominantly, it's my store managers, would be the
7 closest. And then I also have three assistant managers and one
8 manager trainee that is currently reporting to me. And then I
9 also -- it's important to our success and lifestyle to have a
10 direct line into our supervisors and baristas and to be
11 accessible for support to them.

12 Q Which stores in your district have ASMs?

13 A Yeah. I -- I currently have an assistant manager at 8740,
14 which is 37th and Broadway. I have an assistant manager at
15 3215, which is Frontier Village. I also have an assistant
16 manager at store 26209, which is 4th and 47th. And then I also
17 have a store manager trainee at store 2287, which is 10th and
18 Broadway.

19 Q So given the way you described it, it sounds like the
20 store managers are the most direct report, but there's still a
21 connection that you have with ASMs, the shift supervisors, and
22 the baristas?

23 A Yes. On -- on -- on any given day, I'll receive
24 communication from supervisors and the baristas.

25 Q In your district, is there any kind of expectation as to a

1 certain level of leader that needs to in -- in first when -- at
2 all times?

3 A We generally -- you want the store -- the stores to get
4 support from their next level leader, and we're also very
5 explicit that we're all here to support each other, and
6 whatever they have need for it to reach out. So we -- we're
7 really -- we're -- we're really clear that we don't want there
8 to ever be boundaries in terms of communication.

9 Q Is there ever a time, I guess, I'm trying to find out. Is
10 there ever a time when the stores are open, and there's not a
11 leader at some level at the store?

12 A Yeah, that can happen. I mean, that that happens. In the
13 majority of my stores that happens twice a week, at least.

14 Q And so when they're in those stores, when there's not
15 someone there, are you including the shift supervisor? So it'd
16 just be baristas present?

17 A And there would be -- there's always at least one
18 supervisor, and then baristas.

19 Q So at least a couple times a week in each of your stores,
20 there will be a shift where there's not an assistant store
21 manager or store manager present, and the shift supervisors,
22 the -- the next level leader from a barista that's there?

23 A Just to clarify, if -- if the store has assistant manager,
24 we have expectations that either the store manager or the
25 assistant manager is there. So there would -- the goal, all

1 things being regular, is that there wouldn't be a day that
2 there wasn't a -- a -- a manager working. In the stores that
3 don't have an assistant manager, those are the stores. Which
4 is eight of my stores, where there would not be a store manager
5 working two days of the week.

6 Q Are -- are you familiar with the proxy system?

7 A Yes.

8 Q Can you tell us what that is?

9 A Yeah. So we have a -- we have a proxy system where store
10 managers will always, especially when it's really important,
11 like, say on -- on a regular week, they'll have a proxy. And
12 if it's important for them to not be on call on their day off,
13 if they need to get some space, they'll have a proxy peer that
14 -- that supports the store. That always happens during --
15 during vacations or extended time off.

16 And then in my district, you are organized under zones.
17 And so there's four zones within my district, and those store
18 managers partner to support each other and support each other
19 stores as a -- and so oftentimes, that proxy will be one of
20 their zone peers.

21 Q When the proxy system is being implemented, is that
22 typically store managers from within your district, or
23 sometimes does it involve store managers outside your district?

24 A Its only stores within the district.

25 Q I forgot to ask you before. You said you were a barista

1 just for two weeks?

2 A Yes.

3 Q Okay. So is that typical for someone to go from being a
4 barista to a shift supervisor so quickly?

5 A I wouldn't say that it's typical. I -- what happened was,
6 is throughout school, I -- like growing up when I was younger,
7 I worked in the school cafeteria from elementary through high
8 school to -- because I got free lunch. So I did that to
9 support that. And right after I got out of high school, I went
10 into traditional retail and I didn't like it. I wanted to get
11 back into food. And so I had a lot of experience running food
12 service, because by the time that I was in high school, I
13 basically knew all the things that the school cafeterias did to
14 run the kitchens. And so I just had experience as a result of
15 that.

16 Q Does that happen sometimes where a barista is hired that
17 has food service experience, and so they're able to consider
18 being a shift supervisor a little bit quicker than those who
19 are just new to the industry?

20 A Yeah, I mean, at Starbucks, you know, we -- we value
21 everyone's journey, and their experience, and we want to take
22 their experience and capability as a factor to what
23 opportunities that we can connect them to.

24 Q Can you kind of walk us through a typical week that you
25 would have as a district manager? The types of things that

1 you're doing in managing your district?

2 A Yeah. So typically, on -- on a Monday, I am reviewing any
3 updates that are coming through -- through. I'm looking at my
4 week to reflect on my priorities, and what I have scheduled for
5 that week. I get time every week with all of the district
6 managers. Or sorry, with all of the store managers in my
7 district on a weekly huddle where we check in on our key
8 priorities. And then a lot of my Monday is just being -- is
9 being -- is -- is having space to support, because, as you
10 might imagine, coming off the weekend, that's where we have a
11 lot of checking in on things that happened over the weekend, or
12 things that are coming up over the week.

13 And then typically, Tuesday through Friday are what I
14 would -- is where I'm more actively in -- in the field, and
15 that means I'm in stores. And the way that I approach my time
16 in -- in -- in stores throughout the week is based off of plans
17 and priorities in off of store managers reaching out to me for
18 the different support that they need, I'll be in store
19 supporting them for a myriad of things.

20 I'll have interviews throughout the week. I'll have
21 meetings with -- with my team of peers and my leader at least
22 once -- one -- once a week. And one of the things that's
23 really important to me is to be as flexible and open as I can
24 to support any needs, or any needs that that arise in the
25 moment with any one of the stores or with any group of

1 partners.

2 Q During a typical week, do you visit all the stores, or --
3 or what's your pattern? How frequently do you visit stores, I
4 guess, in your district?

5 A Yeah. My goal is to be in stores in -- my goal -- my goal
6 is to be at all my stores once within a week. That I haven't
7 been transparently as successful with -- with -- with
8 coronavirus. But -- but typically, I try to be in -- in my
9 stores at least once -- once a week.

10 Periodically, there will be situations where a store is
11 needing some more support, and needing me to -- to be more
12 focused with them. Which is a key reason why we set up, a
13 couple of years ago, our zone approach. So that the store
14 managers could support each other, and create more space for me
15 to be actively supporting one store, or a couple stores with --
16 with -- with -- within a given week.

17 I also really try to --you know, you -- you have your
18 planned time where you have something that you're trying to
19 achieve that you -- you set in advance. Right, but it also is
20 important to me to just be in the stores as a member of the
21 team, and as a member of our family. So I -- whenever I get
22 the opportunity, I'm frequently in our stores in -- in -- in an
23 informal way just to check in and maybe grab a beverage and see
24 how everyone's doing.

25 Q You just used the term family. Is that in reference to

1 people at work, or in reference to your actual, personal
2 family?

3 A Yeah. We -- one of the things that we strive for is to be
4 a family in my district. It's something that -- that -- that
5 came up early on as -- as -- as we were working as -- as a
6 team. And so it's -- it's something that we talk about often,
7 is that we're a family and we're in this together. Our -- our
8 -- our vision for our district is to spark joy. And so when
9 you think about a family, that's our approach, is that there's
10 transparency. There's honest conversations. There's --
11 there's at times, you know, sacrifice for -- for -- for the
12 team. Sacrifice to help each other.

13 My district, in a lot of parts of our business, doesn't
14 take a store by store operating on silo approach. We're
15 actively working together, both me with my stores, but my store
16 managers with each other and -- you know, even at the
17 supervisor level.

18 Q Do you have any partners within your district that are
19 actually, in fact, family related to each other?

20 A Yeah. We have -- we have four. We have -- we have four
21 partners that are actually sisters that work at different
22 stores from the supervisor level up to -- oh, sorry. From the
23 barista level up to the assistant manager level.

24 Q So they're not all working at one store. They work at
25 different stores within your district?

1 A Yes.

2 Q You mentioned the term a minute ago, the zone approach.

3 A Um-hum.

4 Q Can you tell us what that is?

5 A Yeah. I -- I have the district split up into four zones.
6 Some of those zones are based off of the type of store they
7 are. Some of those zones are based off of -- of -- of -- of
8 geography, or of the amount of revenue that they do. They're
9 based off -- like they work together primarily on how they
10 support development for themselves, and development for the
11 stores.

12 So one of the approaches that we have, for instance, is
13 that within their zone. So for instance, I have two stores.
14 The store -- the store that's in Monroe, which is a cafe store,
15 and the store that's in Tulalip, which is a cafe store. They
16 work together, and -- and one of the priorities is to support
17 the development of the people that want to promote to different
18 positions.

19 So weekly they connect, at least to meet, like, and have
20 conversation. And often will be in each other's stores,
21 specifically around the priorities of helping the store move
22 forward from an operational perspective, and a key -- a key
23 strategy that we have around that is through developing our
24 partners and -- and driving their experience, we can have a
25 greater impact on the operational experience.

1 So within those four zones, that's one of their
2 priorities. Another priority that they have within their zones
3 is -- is staffing the stores. So they -- like, I think it's
4 next week and the week after, the zones are splitting into two
5 different groups, and half of the zones are hiring for the
6 south part of my district, and half of the zones are having a
7 hiring fair for the north part of my district.

8 And they'll work together, like, for instance, the stores
9 of Marysville. One store manager will find a really good
10 candidate, and they may not even have a need, but they know
11 that another store in the -- in their zone or in the district
12 has a need. And they'll work to connect people to
13 opportunities to become a partner and staff each other stores.

14 Q And so a couple of follow up questions on that. First of
15 all, on this -- the job fairs where you have divided your
16 district into two groups to go and do the staffing. Are they
17 hiring for other stores within their district, or are they
18 hiring for all Starbucks stores when they're doing that?

19 A Just our district.

20 Q And a store manager who may participate in the stores that
21 are in the south part of your district, they may select someone
22 or work them through the process so they're actually hired to
23 store other than their store?

24 A Yeah. Yeah, I mean, a good example of that -- not -- not
25 with associated with this hiring fair, but the store in

1 Marysville, store 3321, had a need for a supervisory role. And
2 that's -- she posted the supervisory role within our hiring
3 platform, and a -- a barista at a store in Snohomish applied to
4 that role. And we were able to give that barista an
5 opportunity to promote with the company, and then transfer to
6 that store in Marysville.

7 Q You said that there's four zones within your district?

8 A Yes.

9 Q And you described one, which is in Monroe and Tulalip, and
10 geographically, those aren't -- there's lots of stores in your
11 district between those stores, correct?

12 A Yeah.

13 Q But you picked the store in Tulalip and the store in
14 Monroe, because of they are similar types of stores?

15 A Yeah, they're very similar. They're both cafe stores.
16 You don't have a drive through. They both have a -- a factor
17 of seasonality. And there are things that -- that they
18 encounter that drive through stores don't, and vice versa. So
19 for them to be able to partner and support each other, and
20 support our partner experience, is very relevant. And they're
21 able to be more segmented, if you will, to the needs of the
22 partners in the store that's a cafe versus a drive-through.

23 Q Is there -- do they borrow partners as well, those two
24 stores, even though geographically they're a little bit
25 distance, but do they borrow partners because of the similar

1 platform or type of store?

2 A I mean, that's not typically a factor. Like I would say,
3 no. I haven't seen that happen with that store.

4 Q But the -- the store managers from those two stores are
5 frequently in each other's stores?

6 A Um-hum.

7 Q Are there other people that would typically go in -- in
8 those two stores in that zone?

9 A Well, in that zone, they'll be in each other's stores.
10 But then also Anna, who is the store manager at the store in
11 Monroe, the drive through, because there's two in Monroe, she's
12 frequently in that store, because of the nature of their
13 proximity and their relationship. They work together, and they
14 have relationships with partners across both stores.

15 Q Is that common in your zone or --

16 MR. HAMMOND: Strike that.

17 Q Is that common within your district that you would have a
18 store manager from another store actually in a different store
19 on a regular enough basis -- basis that they have a
20 relationship with the partners in that other store?

21 A Yes.

22 Q And -- and how does that work within your district?

23 A Well, I mean, it works in a lot of different ways.
24 Whether it -- whether like -- I have -- like, we've aligned --
25 we've -- we've collaborated and aligned that they're getting

1 time together within their zones in some fashion at least once
2 -- once a week. And then, based off of what their priorities
3 are, or where the need is, they'll go and support. So for
4 instance, the zone that's in -- that's -- that's in Marysville
5 and Everett, there's two -- there's one store in Marysville,
6 and the two Everette stores. They will -- every week they
7 rotate what store they're at.

8 In addition to that, the store managers, for instance, the
9 store manager that is in Marysville, her name's Maryanne
10 (phonetic). She's -- she's been -- she has supported at 8740
11 in the past, and has preexisting relationships with the
12 partners from that time. And so they will be in store working
13 shoulder to shoulder to support the store, to support the
14 partners.

15 Q So the store at 37th and Broadway, is that in the -- it's
16 in the zone with the 10th and Broadway store, and then another
17 store in -- in Marysville?

18 A Yes.

19 Q And which store in Marysville is it that's connected with
20 those Everette stores in your (Indiscernible, simultaneous
21 speech)?

22 A That's -- that's store 3321 on 88th in Marysville.

23 Q And you said that they would rotate which store they're
24 in. Are store managers actually going into those other stores
25 once a week, and they'll just rotate which one they're going

1 into?

2 A Yeah. Yeah, I mean, it varies. They -- they -- they
3 choose what store they're in based off of what their priority
4 is for the day. But they will be in each other stores.

5 Q And so if I'm the store manager being at the 37th and
6 Broadway store, each week I will spend some time either in the
7 10th and Broadway store, or the 88th Street store in
8 Marysville?

9 A Yeah, unless -- unless like, for instance, I mean, we all
10 know what it's been like. So there -- you know, when those
11 circumstances, whether it's, you know, an isolation or -- you
12 know, the -- that's the plan. And sometimes the urgent needs
13 require a shift of that plan. But the attention the plan is
14 that.

15 Q The zones that you've set up within your district, are
16 those formalized or those informal in nature? Well, let me ask
17 it differently.

18 A Yeah.

19 Q Is that something that you've established as a district
20 manager, or is there some kind of Starbucks practice of having
21 zones in the district?

22 A Yeah, I would say it's -- it's -- it's a best practice
23 that I've established based off of my experience. It's not
24 something that you will read in Starbucks materials anywhere,
25 but this is how we approach it.

1 Q And you found that to be effective as a district manager,
2 so you've used the zone approach in your districts?

3 A Yes, it builds -- it builds really good relationships
4 across the district, and helps us to accelerate in the goals
5 that we have.

6 Q We'll talk in more detail about it in a minute about the
7 times that you're in stores, but before we do that, are there
8 ever times that you're in a store on a non-work-related basis?

9 A I -- all the time. I've been with Starbucks for a long
10 time. I remember -- I remember before when I was a kid, one of
11 my favorite memories was my parents would take us to a
12 Starbucks to -- to listen to jazz music out on the patio. And
13 it's one of my favorite memories. And so I have a lot of fond
14 memories around Starbucks. And so I'm there often, even when
15 I'm not working, because I enjoy it.

16 Q And when you're there for your own purposes, not
17 necessarily, do you still have any kind of interactions with
18 partners in those stores?

19 A Yeah. I -- yeah, it's -- it's important for me to -- to
20 -- to check in. To be a part of the family. To be a part of
21 the community. And so I -- I'm making sure even as a customer,
22 because it's important to me and my values, that I'm making
23 some type of connection with each person that's working when I
24 come into the store.

25 Q Do you go into the store sometimes with other people when

1 you're there for your own personal reasons?

2 A Yeah, I mean, I go to stores with my -- with my friends.
3 I'm going to stores with my kids. Yeah, I go to stores with --
4 with -- with my wife. I'll go to -- if -- if I'm going to a
5 meeting that's -- you know, with local community service that
6 I'm doing, I'll usually stop by a store and pick up coffee for
7 the folks. So you know, it's not just -- just me myself.

8 Q Does the members of your family have a connection with any
9 of the partners at the stores in your district?

10 A Yeah, it's I mean, they -- they -- they know my kids.
11 They know my wife. I mean, just -- just the other day, one of
12 the store managers was texting me that they saw my wife come
13 through. I have -- I also have you know, I have customers that
14 will text me or message me, you know, my personal social media
15 as well, as well as partners about things that are going on in
16 life. So there's -- there's a lot of intersectionality in
17 terms of -- of the community and the culture that we're
18 building being beyond just the operational work that we do.

19 Q You -- you talked about zones that you have within your
20 district. Are there any kind of goals that you have within
21 your district that you set at the district level as opposed to
22 the store level?

23 A Yeah. We have goals around one of - like our zones are
24 primarily -- they function for multiple things, but one of the
25 things they're primarily for is to move forward our priorities

1 around our partners. And so as a district, the zones work on
2 -- on a couple of different things. We have goals around
3 getting 80 percent of our -- of our barista population trained
4 to be barista trainers. That's a pretty significant goal,
5 because most stores -- because the company standard is two
6 barista trainers per store. So if you average stores around 20
7 partners, you know, we're talking from two to -- to like --you
8 know, as many as 15, because if you don't include the
9 management.

10 We also have goals around connecting our partners to
11 partner networks, and the partner network are affiliation
12 groups within Starbucks that -- that -- that -- that serve
13 different communities within Starbucks and without Starbucks.
14 So we have -- we have a pride network for LGBTQ community. We
15 have a black partner network. We have an (indiscernible) cafe
16 network. I can list all of them. There's eight, but we have
17 many of them. And so we're connecting the partners to the
18 partner networks to find a sense of community there.

19 They also -- they also own their -- their development
20 benches. So any partner with aspirations, our goal is to have
21 one partner promote per store, per quarter, and they're working
22 within the zones to achieve those -- those -- those district
23 goals.

24 Q So let's talk about each of those in a little bit more
25 detail. The barista trainers, you said it's a district wide

1 goal to have 80 percent of the baristas trained to be trainers?

2 A Yes.

3 Q And are you -- are you meeting that goal right now?

4 A We're currently at 30 percent. Some stores are further
5 along than others. One of the things that they came up with
6 that I thought was really cool within their zones is the
7 different zones are having -- traditionally that training is --
8 is training that's supported by the store manager with an --
9 with an individual training plan, and so that we can achieve
10 our goal, we've modified it and created a workshop experience.
11 And so they're working within the zones, and we'll periodically
12 have workshops. And what's been exciting about that is we've
13 been able to pull in some supervisors that are developing for
14 assistant manager to help conduct those workshops.

15 It's really awesome when partners get the learning and
16 education around how to train and how to coach. And what's
17 another cool thing about the barista training role is that
18 every time we train someone, you receive a \$65 bonus. So we're
19 just trying to create more opportunities for our barista
20 trainers, or for our partners.

21 Q You said you're at 30 percent now, and you're working
22 towards a goal of 80 percent of having baristas be trainers.
23 Do you ever have barista trainers at one store in your district
24 train at another store in your district?

25 A Yeah. It's a practice sometimes, especially when a store

1 finds themselves needing a larger number of -- of new partners.
2 It will happen at times that the store manager will reach out
3 and say, hey, I need some more support, and we might -- that's
4 -- another store will say, hey, I have a barista trainer that I
5 can pull off the schedule, and you can send them over and I
6 could send them over to your store so they can train the
7 partner in your store. So that you can get more partners
8 trained quickly, and the store partner can learn in -- in the
9 store environment that they're ultimately going to be in.

10 Q And -- and when you're having a barista trainer go to a
11 different store in the situation you just described, in your
12 district, are they ever going to out of district stores to do
13 training, or they're only doing district stores for the
14 training?

15 A Yeah, they would never go to a store out of my district
16 for that.

17 Q You talked about the workshop experience, what -- what
18 exactly is that?

19 A Yeah, so we -- we basically have on the calendar that
20 we're going to have a barista trainer workshop. And one store
21 manager will -- will -- will support that, and it -- it's put
22 on the calendar and then the stores can send their baristas to
23 that store for that workshop to complete -- to -- to become a
24 barista trainer.

25 Q And you said stores can send their baristas to that

1 workshop to become barista trainers. Are those workshops only
2 involving baristas from district 125, or did they have baristas
3 from other districts attend that as well?

4 A It's only our district.

5 Q And then the stores kind of rotate the responsibility for
6 scheduling that among themselves so that, you know, each store
7 is not doing all of them for a better time?

8 A Yeah, I -- I think understand what you're asking. It's --
9 it's -- it's been kind of cool, because it's been an organic
10 process, that -- that the store managers came up with. And so
11 -- so far it's been about who -- who's been passionate about
12 that. And so the -- the two different stores within Marysville
13 have been passionate about that. But because of that, other
14 store managers are picking up that approach. So it's not just
15 one store, it's not just one store manager. It's everyone's
16 kind of sharing the load, if you will.

17 Q And the baristas throughout the district are notified of
18 the workshop when it's going to be scheduled, and they're
19 invited to attend if they want to become a trainer?

20 A Kind of. The store managers have been engaging with
21 baristas around who has aspirations to be a barista trainer.
22 And we're going with that. We started with that population of
23 folks that were outspoken about their aspiration. And then
24 when it comes up, they'll schedule those. They'll let those
25 folks know and then schedule them for it.

1 Q You had mentioned I think your testimony in some
2 instances, or an instance where someone had interest in
3 becoming the shift supervisor, and there was some support
4 provided from a different store for that. Can you kind of tell
5 us how that would come up, and how that works in your district?

6 A Yeah, I mean, there's multiple times where different
7 stores will -- will provide support for different partners
8 development opportunities. So this was a partner that -- that
9 at the time, we didn't have -- we didn't have openings in their
10 own store, but we had openings with -- within the district. So
11 they were able to work with another store in the district for
12 that opportunity and got that opportunity.

13 We also have a supervisor that was at the Snohomish store,
14 and they -- they had been at that store for four years. And
15 really, we had aligned and wanted a different store experience
16 as a part of their development. And so we were able to partner
17 them with the store manager and assistant manager at a store in
18 Marysville, and they transferred for their development to get
19 development opportunities with that manager and with a store --
20 with a different store that had a higher volume for them to
21 achieve their professional goals.

22 Q And is there -- is there a goal to -- are they currently a
23 shift supervisor or a barista?

24 A They're currently a shift supervisor working to promote to
25 assistant manager.

1 Q And so at the district level, you work with them to get
2 them moved over to the store in Marysville so that they could
3 work in a different type of store and under some different
4 leaders to get that experience?

5 A Yeah, and then we ended up -- as a result of that, we were
6 able to take one of the supervisors that was at that store and
7 have them transferred. They transferred to another store that
8 was a little bit -- they transferred to the store that
9 supervisor came from, which was a little bit closer to their
10 house, so. We call it -- we call it -- sorry. We call it a
11 swapportunity is what we call it, so.

12 Q You mentioned that you'll have store managers going into
13 other stores to be there. What kinds of things are they doing
14 when they're in a different store manager's store within your
15 district?

16 A Yeah, they -- a lot of what they do, I'd say probably 80
17 percent of the time is they're doing what we call an observant
18 coach visit. And so they're stepping into the role of coach
19 for that store manager while that store manager observes and
20 coaches the partners that -- support the partners that are
21 working. And so they'll basically be that objective support to
22 help the store manager have some reflection and some insight
23 built around how they're approaching supporting their team.

24 We always take a -- we always kind of have a three
25 prior -- or two priority approach. And the first is, like, to

1 really assess, like, how is the partner experience and what's
2 impacting the partner experience and then what things can they
3 work in terms of helping the supervisors to identify any
4 operational challenges that might be getting in the way of
5 having a really -- a really amazing partner experience.
6 Because our district approach is that that's the key to having
7 a really good customer experience.

8 Q Does your district have any kind of expectation or goal
9 related to how frequently supervisors, shift supervisors, meet
10 with one another?

11 A Yeah, we -- so we have -- at the beginning of -- at the
12 beginning of our fiscal years, like around September, October,
13 I wanted -- I was understanding -- because I -- well, let me
14 back up actually.

15 I do quarterly roundtable meetings with supervisors. So
16 every three months, I work to get just a meeting between me and
17 the supervisors in the store for a couple of different reasons.
18 I want to build a relationship with them. I want to understand
19 what their experience is like. I want to get really good
20 feedback on how the store manager is supporting the team. As a
21 result of that, the broad message that I understood was that we
22 had an opportunity for the store supervisors to be more
23 connected and to be more clear on priorities and have a
24 stronger sense of communication with their store manager.

25 So at that time, we collaborated and aligned on having at

1 least a touch base or a meeting once a month. And then at
2 the -- at the -- coming out of December, as a result of what we
3 were seeing, we aligned as an area that we were going to make
4 an investment to have a weekly supervisor meeting in every
5 store.

6 And so like at the beginning of January, we started to
7 have that conversation and had -- and have been working on how
8 to make that a reality. As you can imagine, the stores have
9 between four -- as many as seven, sometimes eight supervisors.
10 And so figuring out a way to realistically get them all
11 together in a way that's not disruptive once a week is a
12 challenge, but we're working on getting that figured out.

13 Q Do you, as a district manager, ever attend these shift
14 supervisor meetings?

15 A I will attend the supervise -- the supervisor meetings if
16 I see a need for me to attend. A couple different reasons why
17 that might be is if I'm working specifically for -- on a store
18 manager and their performance or development and how they're
19 supporting their supervisor team. Or if I have concerns based
20 off of feedback I'm hearing from baristas and supervisors about
21 their store experience, I may pop into one of their supervisor
22 meetings to get a sense of what that dynamic's like and how I
23 can support.

24 Q The weekly supervisor meetings, who generally attends
25 those? Is it done at the store level, or is it done at a

1 different level?

2 A It's the store level, and it's the store manager and the
3 supervisors.

4 Q Is there any kind of a system in place or an expectation
5 for store managers within your district that they will be sure
6 to have some kind of a presence on each of the shifts within
7 their stores?

8 A Yeah, we -- yeah, we aligned -- we aligned them probably
9 about 18 months ago based off of feedback we were hearing from
10 partners and -- or from baristas and supervisors, we aligned
11 that store managers would work to be -- within a 30-day period
12 would work to have a shift every day of the week and every day
13 part.

14 So within a 30-day period, there isn't a day of the week
15 that they haven't worked at least once or a shift that they
16 haven't worked at least once, and that if they're in the store
17 during our peak period, that they're on the floor. That's --
18 transparently, the last several weeks, that's been more of a
19 challenge because of Omicron, but that's our general guidance
20 that we try to stick to.

21 Q So if I'm a store manager in one of your stores and
22 there's consistently an evening shift where people, you know,
23 work from late afternoon until close, each month, it's the
24 expectation that I will at least find one opportunity to work
25 those shifts so I can interact with the partners who work those

1 shifts?

2 A Yes. And the -- that -- that's a -- that's a big -- our
3 goal and our perspective on that is a bit of -- it's additional
4 to what I would say is general company guidance. General
5 company guidance is the store manager should be where they're
6 most needed, and that will determine. So we kind of went one
7 step above that based off of the feedback we were hearing from
8 baristas and supervisors.

9 Q You talked about partner networks and connecting partners
10 with those. What is it that you do in your district to connect
11 them with those networks? And then is there any kind of follow
12 up, I guess, to make sure that they're able to have the
13 interactions they want to have with those different partner
14 networks?

15 A Yeah, we've been working on getting really good at having
16 different touch points where we talk about partner networks.
17 So we strive to do that in our first shift conversations. We
18 have -- we have posters and signage and QR codes in the back of
19 house to connect partners with partner networks. We also try
20 to talk about those at our partner development connects that
21 happen a couple times a year.

22 And then you -- just in general conversation, if it comes
23 up as an opportunity to connect partners, we track which
24 partners -- and this is -- this is unique. This is not a
25 company thing. This is a our district thing because of the

1 belief that we have in connecting our partners to a community,
2 we actually track who's in a network. And where -- whenever we
3 need to talk about the partner experience as a team, we review
4 and see how we're doing on getting more partners connected to
5 partner networks. So each store kind of has a sense of what
6 percentage of their team is connected to a network.

7 From there, it's up to the partner how they want to
8 engage. And so that could be as we have some partners that are
9 just affiliated. We have some partners that attend meetings.
10 We have some partners that are actively involved in leadership
11 on networks and do meetings, listening sessions, community
12 service, things like that.

13 Q And you track those at the district level?

14 A Um-hum.

15 Q Is that a yes?

16 A Yes, yes.

17 Q I want to go back a little bit to the goal you talked
18 about where it's your goal is to -- is to have one partner per
19 quarter promoted per store. Did I get that right?

20 A Yes.

21 Q Okay, so how do you track that at the district level? So
22 for example, if you, with your 11 stores, there's 11
23 promotions, but the promotions occur only in eight of those
24 stores, are you achieving that district goal, or does it need
25 to be one out of each store within your district?

1 A Yeah, so transparently, that is a very high goal to have.
2 And it's -- I -- it's set intentionally high because of the
3 importance for me as a leader to connect our partners to
4 opportunity. And so we track our promotions.

5 Every month, the store managers complete a scorecard based
6 off of the plan that we set for it for the year. And so in
7 that scorecard, they would share the promotions that they had.

8 And so, for instance, last quarter, we had four
9 partners -- well, four -- just -- we had four partners promote
10 in the last quarter to different roles by that supervisor or
11 ASM -- or store manager. That was -- for context, that was
12 double what it was the second half of last year. So we have
13 that -- that's an aggressive goal. And we're -- and we're
14 figuring out how to actually get to achieve it, but we're
15 making progress.

16 Q But if you had two people promote at one store for
17 whatever reason, maybe there's a lot more partners at that
18 store, there was just a need at that store, do you count both
19 of those promotions toward the goal for the district, or is it,
20 oh, you only can get one out of each store in the district?

21 A No, we would count both.

22 Q You mentioned something a second ago about a planned
23 scorecard.

24 A Um-hum.

25 Q What is that?

1 A Yeah, so we built -- we have scorecards that we built for
2 our district. And the scorecards measure the outcomes that --
3 or the goals that we have set in our top three priorities. And
4 so we have scored -- we have a weekly and a monthly scorecard,
5 and then we take -- store managers complete their scorecards
6 for those -- for those priorities. The priorities are centered
7 around the partner experience, or we call it the best job in
8 retail. The customer experience, we call the great human
9 reconnection, and then excellence in operations.

10 Q So you've set goals within your district under each of
11 those three priorities, and then you track those on a weekly
12 and then a monthly basis?

13 A Yes.

14 Q And then do you share the results from these scorecards
15 with the store managers in your district?

16 A Yup. The results are on a shared site for all store
17 managers to see. And, you know, that's one of the things that
18 we are working to build into our weekly -- our weekly huddles,
19 our weekly supervisor meetings, is sharing of those scorecard
20 results.

21 Q And the idea of the scorecard and the reporting of the
22 scorecard, that's unique to your district?

23 A I would say the way that I do it with having a scorecard
24 that's weekly that everyone's contributing to, that's shared,
25 that we're touching base on frequently, that is unique to my

1 district.

2 Q And you do that district-wide?

3 A Yes.

4 Q Any other goals that you do at the district level that you
5 can think of?

6 A Yeah, we have lots of awesome goals. I think specifically
7 as it relates to why isn't -- like, to the -- to the
8 conversation around the whole district, right, one of the
9 things that we really work on is the store manager stability.
10 And that's tracking what percentage of the store managers in
11 our district have been enrolled for two years or longer. And
12 we're at 90.9 percent as a district, which is all but one
13 store. We've had stability with the store manager there for
14 two years.

15 We also -- we also really look at partner hours
16 consistency because it's really important that we are at --
17 that we are doing what we can to have partners receive
18 consistent hours. And specifically with that, there's a lot of
19 meeting that's found when our partners can work the same shifts
20 with the same partners, seeing the same customers week after
21 week. And so we track the consistency of hours for our
22 partners with -- within our stores on -- as a part of our
23 scorecard as well.

24 Those are two that really stand out. In addition to
25 turnover, in addition to partner networks, we also look at

1 diversity with -- within our district and then promotions.

2 Q The partner hour tracking that you do, does that have an
3 impact on the partner experience throughout your district?

4 A Absolutely. When -- you know, it's important to us that
5 our -- that our partners are able to get the hours that they
6 need and the hours that they need when and where they need
7 them. And it's important for us to create consistency for our
8 partners and consistency for our stores. So the higher
9 percentage of partners that we can have with consistent hours
10 gives us an indicator into the stability that we're creating
11 within stores.

12 Q You mentioned, a few moments ago, the hiring fairs. How
13 often do you do those within your district?

14 A Those are more need based. What I've been seeing, I've
15 been seeing those happen more frequently. And I'd say right
16 now, we're at about a one per quarter frequency. They -- we
17 will pull those in if the things that we're doing on a
18 week-to-week basis aren't enough to get us to our goals or to
19 where we want to be.

20 Q And who decides whether or not to have a hiring fair for
21 stores within your district?

22 A That is the store managers. They will decide that and
23 then let me know when it's happening and what support they need
24 from me.

25 Q Is it typical that you're -- if you're going to do a

1 hiring fair, it's going to be more than one store involved, or
2 is it just a one-off store doing it?

3 A It's -- in my experience, it's always multiple stores.

4 Q So the store managers from multiple stores will get
5 together and say, we have a need, and they will participate in
6 this hiring fair?

7 A Yes.

8 Q And as a result of that hiring, they may find people at
9 their stores where their need exists, but it may be other
10 stores within the district?

11 A Yeah, I mean, it's always a factor of hiring fairs that we
12 have store managers hiring partners that end up not going to
13 their store.

14 Q You've mentioned a couple of things that prompt you to go
15 into the stores when you're in the stores. You mentioned
16 huddles. Who attends those huddles?

17 A The supervisor huddles or the store manager huddles?

18 Q Well, let's talk about bor -- both. So the store manager
19 huddles, who attends those?

20 A That's all the store managers, the assistant managers. At
21 times, we will have supervisors who are developing for ASM that
22 will attend those huddles as well. And those are digital. And
23 so they're often taken through Microsoft Teams.

24 Q And do you attend those?

25 A I do.

1 Q And how often do you have those store manager huddles?

2 A We'll have them at least once a week, and then if there is
3 a need, given what we're -- what our current priorities are,
4 what we're urgently facing, we may have more than one a week.

5 Q And then the supervisor huddle, is that that weekly
6 supervisor meeting you talked about before?

7 A Yes.

8 Q What are other things that -- or kinds of meetings you
9 have that are more routine, you know, scheduled on a regular
10 basis?

11 A Yeah, I have a -- I have a monthly operations meeting that
12 happens every four weeks that's four hours. I also have a
13 monthly partner planning meeting that I happen -- that happens
14 every four weeks that's four hours. And then, I mean, those
15 are, like, the meetings, if you will, that are planned.

16 Q So the monthly operations meeting, who attends that?

17 A We always have all the store managers, assistant managers,
18 and supervisors that are developing to ASM.

19 Q And is that an in-person meeting, or is that typically a
20 digital one, like your huddle?

21 A It's -- sorry. It's intended to be in person, but as you
22 might gather, it's been digital for quite some time.

23 Q And who -- do you attend that meeting, the operations
24 meeting?

25 A I do, yes.

1 Q And what topics are usually addressed during that meeting?

2 A We will address -- basically the intent of that meeting is
3 to look at our FY -- or sorry, to look at our fiscal year's
4 plan and see -- and whatever we would need to prioritize based
5 off of how we're tracking towards our yearly plan. And then
6 we'll wrap in anything that is new and up and coming, whether
7 that's a promotion, whether that's a new system, you know.

8 So I know some districts will have what they call a period
9 planning meeting. I -- my district approach is unique in that
10 I set aside time fre -- like, on a cadence, and I will wrap
11 updates from the company that comes into that time so that we
12 have a regular cadence of time to check in and adjust on our
13 fiscal year's plans priorities.

14 Q The fiscal year plan, is that something that's maintained
15 at the district level?

16 A We get together at the end of each fiscal year, and we
17 look at how we did over the prior year. We take a look at
18 how -- at what the priorities are for the next coming year.
19 And it's a collaborative process with the store managers and
20 myself to come up with our fiscal year plan.

21 Q So the plan involves yourself and the store managers, but
22 the plan is really a district fiscal year plan?

23 A Yes. And then each store pulls from that plan to build
24 their fiscal year's plan.

25 Q And during your monthly operations meeting, you review the

1 plan, where you're at in the plan, and if you need to make
2 adjustments to comply with the plan?

3 A Yes, to not just comply but to exceed the plan.

4 Q Right. And then you said that you have a monthly planning
5 meeting. What --

6 A It's a par -- it's a partner planning meeting.

7 Q And what is -- what is that meeting for

8 A In that meeting, that is based solely off of all things
9 related to our people at Starbucks and our partners. And so
10 that meeting focuses solely on, how are we looking in those
11 best jobs and retail goals that we have, which is a -- which is
12 one third of our plan, right? For our fiscal year plan, we
13 pull it out separate. And so we're looking at store staffing.
14 We're looking at partners that are developing. We're also
15 doing development and learning for the store managers and then
16 anything else that is related.

17 So for instance, on a recent partner planning meeting
18 based off of feedback we got, we were hearing from supervisors
19 on a lack of clarity of how to promote to assistant manager, we
20 collaborated as a team to design a clear pathway of how to
21 develop from a supervisor to assistant store manager. And we
22 collaborate and created that pathway so that we could create
23 more clarity for supervisors within the district.

24 Q And who attends the partner planning meetings?

25 A That would just be store managers and assistant managers.

1 Q Do you attend that?

2 A Yes.

3 Q When times permit, is that typically done in person?

4 A Yes.

5 Q But when it -- when times don't permit it, such as during
6 the pandemic, when needed, you've done that digitally, I
7 imagine?

8 A Yes, yeah. Pandemic aside, those meetings would
9 absolutely be in person.

10 Q So the -- during these meetings where someone may, for
11 example, say that they have need of a shift supervisor because,
12 you know, their shift supervisor may be transferring to a
13 different store or something like that, is that something that
14 would be discussed at the district level in these partner
15 planning meetings?

16 A It's -- yeah, it's one area where it will be discussed.
17 They'll also discuss that within zone (phonetic) times as well.

18 Q And during that meeting then, is there a discussion at
19 this district level about how to try and help support that
20 store with that need?

21 A Yes, we often have discussions around partner placement,
22 both from a need perspective and also from a development
23 opportunity perspective for future roles.

24 Q Do the zones within your district have regular meetings
25 that they schedule?

- 1 A Yes.
- 2 Q And how often do those occur?
- 3 A They should be getting together at least once a week.
- 4 Q Do you ever attend those zone meetings?
- 5 A I will attend those zone means if there's something that
6 I'm curious about or that I want to get closer to for a store
7 manager's development or if I'm asked to join based off of them
8 saying, hey, we'd love to have support from you for whatever
9 reason.
- 10 Q And the zone meetings then, when you're not attending, is
11 it typically the store managers in the zone and any ASMs that
12 may be in those stores?
- 13 A Yep. Store managers, ASMs, and then at times, we'll also
14 pull in developing supervisors.
- 15 Q You talked about your quarterly roundtables. Can you tell
16 us a little bit more about that, what those are?
- 17 A Yeah, it's just -- it's about an hour to meet with the
18 supervisors in each store. And the three priorities are to
19 build a relationship with them, to understand how their
20 experience is and what might be in the way, and then to
21 transparently get feedback on how their store manager is doing
22 at supporting their experience and the partner experience in
23 their store.
- 24 Q And who -- and who typically attends those roundtables?
- 25 A I attend those and the -- and the supervisors in each

1 store. The store manager is not present.

2 Q There's something that I understand is a shift supervisor
3 development pod. Does that sound like a term that you use in
4 your district?

5 A Yeah, periodically we will have -- we will actually, based
6 off of feedback from supervisors and based off of what we've
7 seen happen in the past, we may have a specific part or
8 specific topic that we're looking to maybe accelerate or build
9 some knowledge or capability around. And so we'll pull
10 supervisors from multiple stores for a temporary amount of time
11 to meet more than once, specifically focusing on something like
12 order readiness for instance. And that -- like I said, that
13 was based off of feedback we heard from the supervisors in how
14 meaningful it is for them to be connected to supervisors in
15 other stores when we have the opportunity to do store -- to do
16 so.

17 Q So that's something that you implemented within your
18 district?

19 A Yes, I did that last year in 2021.

20 Q Do you have planning meetings for new promotional
21 planning?

22 A I wrap -- I wrap that into my operations meetings that I
23 have every four weeks.

24 Q Do you have one-on-ones with store managers?

25 A Yes, I have formal one-on-ones, and I have lots of

1 informal one-on-one time too.

2 Q The formal one-on-ones, are those on any kind of a
3 recurring scheduling basis?

4 A I -- we'll always -- like, we'll typically have one at
5 least once a quarter that is a store manager level partner
6 development connect. And then I -- one of the things that I
7 really value is allowing the store manager to have autonomy
8 over what they need. So at any given time, I may have one or
9 more store managers that's meeting with me on a planned,
10 regular basis to support something specific about their
11 development or some specific thing that they're trying to grow
12 in or leverage or impact.

13 Q Any other regularly scheduled meetings that you have
14 within your district?

15 A Not -- no.

16 MR. HAMMOND: Madam Hearing Officer, if it -- we've been
17 going a little bit over an hour, if it would be okay if we take
18 a short break?

19 HEARING OFFICER FIORIANTI: Off the record.

20 (Off the record at 1:44 p.m.)

21 HEARING OFFICER FIORIANTI: Thank you.

22 All right. Mr. Hammond?

23 MR. HAMMOND: Yes. While we were at break, the parties
24 confirmed that they would stipulate to you taking
25 administrative notice of Employer's Exhibit 2 through 12 in

1 case number 19-RC-289455.

2 HEARING OFFICER FIORIANTI: Is that correct, Mr. White?

3 MR. WHITE: That's correct with the addition that the
4 parties stipulate that these exhibits apply to Starbucks
5 District 125.

6 HEARING OFFICER FIORIANTI: Okay. I will take
7 administrative notice of Employer's Exhibits 2 through 12 that
8 were entered into evidence in 19-RC-289455.

9 MR. HAMMOND: And just to clarify, I would agree that
10 those -- those exhibits apply to District 125.

11 HEARING OFFICER FIORIANTI: Thank you.

12 Q BY MR. HAMMOND: Now, before we took the break, Mike, we
13 were talking about your regularly scheduled meetings within
14 your district, and I want to just talk to you a little about
15 those instances when things just come up, which I imagine
16 happens in your job. What are those instances that may just
17 come up where you might be engaged by a store manager about a
18 particular issue?

19 A Yeah. Anything that -- that's disruptive or that would
20 be -- or that puts partner safety at risk, any time there is --
21 as we've gone through -- in -- it appeared once in Washington
22 right after Christmas there was some pretty significant snow.
23 That's an example. Various times throughout the pandemic from
24 the onset to today, there are things that will come up.

25 And then in the -- that's, you know -- I may have all

1 or -- some or all the stores throughout the district that
2 are -- that are reaching out with some type of need. And then
3 individually, whenever there is -- wherever there's support the
4 store manager needs around performance, around staffing, around
5 a customer concern, I basically -- I'm boots on the ground to
6 support whatever they need, whatever that might look like.

7 Q When -- when you are contacted by a store manager with a
8 particular need, are there ever instances when, based on what's
9 learned or discussed with that store manager, you as the
10 district manager would provide guidance or recommendations for
11 the entire district?

12 A Oftentimes, like what's built into my approach is what I
13 learned about a specific store is understanding how that may or
14 may not be impacting the broader district, and then I -- and
15 then where it's appropriate and necessary, applying it out.
16 That's -- that's where -- that's where a lot of the things that
17 we've already discussed have come from. That's why some of
18 these things are unique to District 125 because we're operating
19 based off of the needs that we have here for us.

20 So -- but I mean, yeah. There's -- there's a lot of
21 things. Usually what happens is I find out with one store and
22 then I start to realize like, oh, it's happening here, it's
23 happening here, it's happening here, and then I, you know, will
24 go support.

25 Q You mentioned previously the feedback that you received

1 from partners in 125, that they wanted to have more regular
2 contact with other store managers. Is that an example of what
3 you're talking about where you're getting that consistent
4 feedback throughout the district, so you implement a system
5 district-wide?

6 A Yeah. Yeah. I mean, especially my roundtables, I capture
7 notes for those roundtables, and it's the -- as you might
8 imagine, the things that -- the similar things or things that I
9 repeated start to bubble up. Also specifically, at Store 8740,
10 back in I want to say -- around July to August, there were
11 several things that were happening at the store that I was
12 working to support the partner experience that ended up
13 impacting what we did on a district level.

14 Q Can you give us some examples of those things from last
15 summer?

16 A Yeah. We had had -- there was a need for a building
17 capability with the store on how to address disruptive
18 behaviors or disruptive customers. And so that -- that led to
19 me taking that approach and checking in and even in some stores
20 taking a similar approach to having a full-store meeting just
21 to train on de-escalation.

22 The -- the specific feedback around taking a different
23 approach where we had some critical staffing challenges coming
24 out of the pandemic of actually modifying operations and
25 closing the store, that happened around October where we

1 started doing -- where we started taking a different approach
2 and being -- being more disruptive to our normal business so
3 that we could support a change quickly.

4 Q In those staffing challenges you said where you adjusted
5 hours, for example, that was done at a district-wide basis?

6 A The -- it was a change in the way that we had done things
7 in the past, and so the -- the -- the ability to -- to leverage
8 that type of approach, if necessary, was -- was shared, and
9 then there ended up being I think a total of three stores that
10 needed that approach within the district.

11 Q There's a term, and I -- I can't recall off the top that
12 has been used today by you in your testimony, but it's
13 certainly been used in the course of these various hearings of
14 quick connects. Do you have quick connects in District 125?

15 A Yeah. Quick connect is Starbucks' way of saying check in,
16 have a conversation. And so I have dozens of quick connects a
17 week.

18 Q And who do you have your quick connects with?

19 A I mean, I'll have a quick connect with store managers.
20 I'll have quick connects with supervisors, assistant managers.
21 I'll have them with baristas. I'll have them with customers,
22 my leader, my peers.

23 Q And I -- I think you used this term previously about
24 observe and coach. Do you yourself participate in that? I
25 think before you were talking about store managers going to a

1 different store and doing observe and coach. Is that something
2 you do though as a district manager?

3 A I do that as well. Yes.

4 Q And when you do that, who do you do that with where you're
5 observing and providing coaching?

6 A Predominantly store managers and assistant managers. I
7 have been -- I have in the past year been known to do that more
8 directly with the -- with supervisors that are developing to
9 assistant store managers.

10 Q Another term that I don't think has come up today, but
11 it's certainly been used in the hearing, is shoulder-to-
12 shoulder. Are you familiar with that term?

13 A Yeah.

14 Q How does that work in District 125?

15 A Yeah. One -- one of our principles in how we approach the
16 working development is to get really close to the work while
17 it's being done. And so when we're getting shoulder-to-
18 shoulder, rather than talking about it over the phone or
19 talking about it at a table, we're actually like, hey, let's go
20 do this together, and we give -- we -- we give our partners an
21 opportunity to just do the work and practice while we observe
22 and see what we can do to support them achieving their goals
23 around whatever it is we're observing.

24 Q Do you yourself do shoulder-to-shoulder training?

25 A Yes.

1 Q And who do you do that with?

2 A Predominantly store managers and -- and assistant managers
3 and also with -- I'll -- I'll do that with supervisors that are
4 developing to ASM.

5 Q As a district man -- manager, do you ever work on the
6 floor?

7 A Yeah. I'll -- yes. I -- I -- a couple things. Like I
8 know how to work on the floor, and -- and I'll do that, but I
9 also really want to respect. One of the points of feedback I
10 got over the last year was we love that you help and check in
11 with us and -- and let us -- like, make sure we want your help,
12 so I'll check in with -- with the partners and see if they need
13 help. And that might mean I'm taking orders in the drive-thru,
14 or I'm warming up food or taking out trash. It's a part of our
15 larger culture of we're all in this together and that I'm
16 actually there to help them. I'm not there to monitor them.

17 Q And -- and how often do you -- do you do that in your
18 stores where you're actually on the floor helping the partners
19 with the work that needs to be done?

20 A You know, transparently, it -- it varies. There are
21 seasons like back in July/August where I was doing that a lot
22 because everyone in the industry was having their business
23 grow, and we were working to get more -- more people on, but
24 I'd say that typically will happen at least once a week.

25 Q So summer was more frequently. Now, even, you're doing

1 that about once a week where you'll actually be on the floor
2 doing work?

3 A Yeah. Yeah. I mean, there's -- it's -- and it's -- it's
4 not just to -- it's not just because they might need the help.
5 It's also a great way just to build the relationships, right,
6 get in the work together. I also happen to love it because I
7 started as a barista, so it's important to me. Like it's that
8 whole concept of like, you know, it's important to at least
9 know the work or understand it if you're informing it.

10 And then that will typically happen around -- like around
11 the holiday season. We'll be a lot more in the work with
12 everyone because we're so busy.

13 Q Do you work the line, as well, making drinks from time to
14 time?

15 A I can make drinks, and it's not my best place to be, but I
16 am really effective -- I can -- I can still ring up customers
17 and work that register. I can warm items. I can help take
18 orders within the drive-thru. I'm -- I'm good at those things.

19 Q In your experience in your discussions with your peers and
20 your experience as a barista and shift supervisor and store
21 manager, is that practice of yours where you're on the floor
22 working with other partners in your stores on a regular basis,
23 is that common in your experience, or is that something unique
24 to your district?

25 A I think -- I think in some aspects it's a little unique.

1 I think in some aspects, it's what we talk about. It's
2 interesting. It will ebb and flow. I'll get flack for it
3 sometimes that, you know, from -- from -- from my -- from other
4 district managers with the different perspective on how we do
5 the work, but I often will influence and try to inspire
6 commitment to our -- to the importance of us being in it with
7 our people and that sometimes it's just really important to
8 actually understand like that these people make it look like
9 magic, but in order to make it look the way that it does, it
10 actually takes a lot of discipline, and it's challenging. And
11 so understanding what that feels like is important.

12 But I have gotten in disagreements with other people
13 throughout my career about whether or not it's the right thing
14 to do.

15 Q As a district manager?

16 A Yeah.

17 Q In your times that you've done this, have you received
18 feedback from partners about your work in this area?

19 A Yeah. I mean, I -- 100 percent the feedback is that we
20 appreciate it, and we're grateful. Sometimes I hear I've never
21 seen a district manager do that. There have been -- there's a
22 couple times where they're like that wasn't the best position
23 for you, and so it's like thanks for the feedback and duly
24 noted. I will go practice, or I will make sure that I do
25 something else for you. I mean, and -- I mean, that's the

1 nature of us being a family is like, you know, you can be
2 honest like and tell me if -- what I'm messing up, so --

3 Q You had mentioned before that you sometimes will have
4 safety issues. Are you familiar with a term called DIRF?

5 A Oh, yeah.

6 Q And what's a DIRF?

7 A A DIRF stands for Digital Incident Report Form and --

8 Q Okay. How are those used in your district?

9 A Yeah. Any time that there's disruptive behavior in a
10 store, the store is supposed to submit a DIRF, which, once it's
11 submitted, goes directly to me. There's a myriad of categories
12 that that DIRF could be submitted under. And depending on my
13 prior experience, the frequency, or the type of DIRF it is, or
14 who submits a DIRF, or what the nature of the DIRF is, it will
15 then determine what level of follow up I have.

16 Q In your work as a district manager, are you ever contacted
17 by store managers or other partners about facility issues? For
18 example, a facility that is in need of repair?

19 A Yeah. I would say I'm contacted by supervisors and store
20 managers on a weekly basis with something as relates to
21 facilities. It's a common part of what we do.

22 Q And are the store managers getting those things fixed and
23 then just keeping you apprised, or are you actually helping get
24 those things ordered and approving repairs when needed?

25 A Yeah. One of the things that's really important to me is

1 that -- is that we do everything we can to make it easy to be a
2 partner. And one of the things that -- that is the most
3 impactful to a partner is when stuff doesn't work. So I -- I'm
4 very -- I -- I'm very good reacting -- we're very clear with my
5 store managers on our responsibility to ensure that we're
6 having stuff fixed in stores or even -- or even have things
7 changed. I'm known for spending more money around facilities
8 than a lot of other district managers because I understand the
9 way that that type -- that the facilities work and how that
10 impacts the partner experience. So I'm pushing for new
11 facilities, for adjustments to store layouts more frequently
12 than -- than -- than my peers.

13 And so I expect the store managers to reach out to me the
14 moment that something has passed what we called its service
15 level agreement. So depending on what the situation is,
16 there's a standard amount of time that -- that our contracts
17 with those vendors allows for that to be repaired, and I need
18 them to reach out to me when we've gone beyond that so that I
19 can start following up on that.

20 And so I have direct line to our facilities department,
21 and I review facile -- ongoing facilities concerns within my
22 district on a weekly basis to make sure that we're moving
23 forward in those objectives.

24 Q Are you familiar with something called the Customer
25 Contact Center?

1 A Yes.

2 Q What is that?

3 A That is a direct line to -- to a call center that supports
4 customers calling in to seek support or share concerns when
5 either they can't reach a store or when a store's not able to
6 satisfact -- satisfactorily address their concerns.

7 Q And how, if at all, do you use the information from the
8 Customer Contact Center within District 125?

9 A I always share out comments, or I always share out
10 Customer con -- Contact Center notes that I receive for each
11 store. I transparently won't send one. I won't send it to the
12 store if it's not something that the store had control over.
13 And then there are certain ones that I'm required -- that
14 that -- for our service level agreement on our end, we would
15 agree to reach out to the customer that when they've asked to
16 be reached out to within 24 to 48 hours, and I will reach out
17 to those customers and see what I can do to support.

18 A real good example of this is a customer was having a
19 really hard time with their Starbucks card, and it wasn't
20 working, and I ended up meeting the customer in the store and
21 showing the customer like, hey, this is why -- like this is
22 what the problem that we're having and why we can't do this for
23 you, but here's what I'm going to do to escalate it so that we
24 can solve it for you. So trying to bridge those -- like trying
25 to remove the obstacles and bridge more relationships between

1 our customers and our partners when something goes awry.

2 Q When you have those interactions with customers from time
3 to time, are there ever instances where you will learn
4 something from that process that you will take and implement on
5 a district basis?

6 A Yeah. I mean, one of our big -- like the -- the majority
7 of -- of -- of things that we receive is around beverage
8 quality, so we'll look at that and kind of address beverage
9 quality. There's some specific stores, I -- you know, I -- I'd
10 say more from the DIRF process district-wide than the Customer
11 Contact Center. That's really -- that's really been more of an
12 impact to the full district than the Customer Contact Center.

13 Q Can you give us some examples on the DIRF side of where
14 you've received information or learned something from that
15 process that you've applied on a district-wide basis?

16 A Yeah. One of the things was that we -- we had done a good
17 job with trying to build some deescalation skills, and there
18 were situations like we actually shouldn't be trying to
19 deescalate that. We should just disengage.

20 And so as a result of what I was seeing and what we were
21 seeing, we actually leveraged having conversations around how
22 to assess when to disengage. Those -- those -- that content
23 was shared with the store managers and then also each store
24 has -- has a plan to share that with their supervisors, and
25 they set some timelines around when they were going to share

1 that.

2 It was really powerful to help our partners understand
3 when -- the difference between like, hey, this is actually not
4 acceptable, and we don't even want you dealing with that, and
5 so that's an option for you to just disengage and then get the
6 support that you need to move forward.

7 Q Do you provide any kind of training at a district level,
8 or is there any kind of oversight at the district level with
9 respect to training in District 125?

10 A Yeah. I -- I mean, I do -- so I monitor our training
11 budgets. I monitor our ongoing training. Every week, as
12 one -- and I -- I just realized that there was another
13 scorecard thing I didn't mention, but every week we look at our
14 training and what's -- what we currently have that's overdue,
15 if we did -- have anything and then also what's due the next 45
16 days, and we talk about that.

17 And then I -- there are certain training that I -- that --
18 that I own. Deescalation is one of those. And so I will
19 either directly train supervisors if it's a larger group, or I
20 will train store managers, and the store managers will train
21 their supervisors around de-escalation.

22 We also -- if it's necessary -- and we did this at 8740 --
23 we'll do a full-store deescalation training, and we may reup
24 that periodically depending on what that store's turnover trend
25 is or whatever the situations in that store would be giving us

1 an indication would be good to invest in that again.

2 Q And -- and you said there was another scorecard issue that
3 you forgot to mention previously. Was that training?

4 A Yeah. Yeah. We track training on our scorecard.

5 Q How do you track that on your scorecard?

6 A Every week, we look to see what training is coming and
7 what training's not done, and -- and we're working to make sure
8 that everyone has -- has the training that -- that -- that they
9 need to be successful.

10 Q How often would you say that you interact with store
11 managers about issues either at the district level or specific
12 to their stores?

13 A As like just in general?

14 Q Yeah. So for example, we'll take Store 8740. And the
15 store manager there is Ming; correct?

16 A (No audible response.)

17 Q On -- on a weekly basis, how often are you interacting
18 with Ming as the district manager?

19 A Yeah. I mean, I'll be really transparent. I was a store
20 manager at a store -- I -- I was a store manager of two store
21 that were high-revenue, 24-hour stores with a lot of safety
22 concerns, one in California, and one in North Seattle. I was
23 aware of -- of the challenges that -- that this store had had
24 prior or taking the district, and so I -- having been a store
25 manager at stores like that, having been, frankly, a barista

1 and a supervisor at stores like that, I knew that I -- that I
2 wanted to provide -- I wanted to do something to change that.

3 It was -- it was a long process, but I am frequently at
4 8740 more than other stores and have been for the better part
5 of six or seven months at least to work on supporting the store
6 manager and the stores to have a transformation in what their
7 experience is like.

8 Q What kinds of things -- when you say it was a difficult
9 store com -- similar to the one that you worked out in North
10 Seattle and I think you said one in California -- what kinds of
11 things are unique to 8740 that were concerning to you as the
12 district manager?

13 A Yeah. I mean, the -- the store -- the -- the store is in
14 a unique environment. Like within a couple blocks of the
15 store, there's -- there -- there's a homeless shelter. For
16 context, there's some stores that I -- that I never encounter a
17 disruptive behavior that needs to be addressed. Almost I'd say
18 probably -- when I first got to -- to the district, every time
19 I was at 37th & Broadway, I would encounter some type of
20 disruptive behavior. It's gotten to be less.

21 Also noticed that there was -- there wasn't -- there
22 wasn't a long stability of -- of store management at the store.
23 Frankly, there wasn't long stability of -- of district manager
24 at -- in this district. That was one of the things when I --
25 when I interviewed -- or not interviewed, but when I put in my

1 name to transfer to this district. I said this district needs
2 somebody who's going to be here for years. The partner
3 experience and the customer experience isn't what it could be.

4 Same thing as I -- same approach towards the store itself.
5 I also noticed that there were just -- there were -- there were
6 facilities things that the store had -- didn't have that it
7 needed that were making -- that were making it hard to be
8 successful there. And so those were the things that I -- a
9 couple of the things that -- that -- that really stood -- stood
10 out to me.

11 I also -- I also just felt like in -- what was really
12 clear to me from when I first started at, you know, a couple
13 years -- almost a couple years ago now was just that the store
14 needed more support. It needed people to care -- to care about
15 it and to care about them and to demonstrate that through our
16 actions.

17 Q And so because of this -- the needs of this particular
18 store, it sounds like your contact with the store manager there
19 may be more regular than even the other stores in your
20 district?

21 A Yes. That's what I'm trying to say. And -- and I'll take
22 you back to the scorecard process. So I review scorecards, and
23 then based off of where I'm seeing -- where I'm seeing stores
24 at are -- are telling me they need more support, I prioritize
25 my time around those stores. And that's where the whole zone

1 approach came from was needing to free myself up to be more
2 present in specific stores that needed more support.

3 Q And since you're being pulled to those stores that needed
4 more support, the zone method allowed for support from other
5 store managers at these other stores?

6 A Yes.

7 Q And so I know it's more frequent, but are you then in
8 communication over the last six or so months with Ming on a
9 daily, on a weekly basis? How often are you communicating with
10 Ming or in that store at 8740 in the last six months?

11 A In the last six months, it's -- I would say it's -- it's
12 not every day. It's varied periodically. It's also varied
13 because of things like COVID or -- or weather or holidays. But
14 at -- my goal was to -- has been to actively be involved with
15 the store at least once -- once a week.

16 Transparently, coming out of December, the store was
17 having some challenges with what I was seeing them provide form
18 a customer experience and what our customers were -- were
19 telling us. So like November, December, I was actively looking
20 to add more time on that to help understand and see what I
21 could do to support what I was seeing happen with the really
22 great customer experience not necessarily being reflected in
23 the results that they were getting from customer feedback.

24 Q You were present this morning when Jacob Fullerton
25 provided testimony; is that right?

1 A Yes.

2 Q Do you know Mr. Fullerton?

3 A I know him as a partner and as someone who's worked at the
4 store for the past eight months and someone that we talk about
5 in terms of his experience and as one of our -- as a member of
6 our family. I don't -- I know Jacob is in school, and I --
7 those are the things that I know.

8 Q In the course of your work as a district manager, have you
9 had occasion to interact with Jacob on an individual basis?

10 A Yeah. There's been a -- there's -- there's -- there's
11 been a couple times back September, October -- late September,
12 early October I had had a conversation with Jacob around what
13 it was like in the store just trying to get a sense for the
14 partner experience there. And we had a phone conversation.

15 There's been a couple situations where I've had -- well,
16 at least one one-on-one with Jacob where I was talking with him
17 about some of the communication between him and the store
18 manager, Ming, and how that was going for him.

19 Q So that's where you're communicating -- those are
20 instances where you're communicating directly with Mr.
21 Fullerton without Ming participating?

22 A Exactly. Yeah. There was also one brief interaction on
23 the phone where there was -- there was a pretty -- there was a
24 pretty aggressive, disruptive situation in the store where
25 somebody had locked themselves in the bathroom. And it was

1 great because we got -- we got locks on the bathroom, but they
2 didn't give us the master locks so the law enforcement couldn't
3 get into the bathroom. And so I had to engage with him over
4 the phone to check in and see what was going on and see if
5 they -- he had wanted me to come down to the store to help out.

6 Q And -- and was that, in essence, because Jacob was the
7 shift supervisor there and -- and the store manager wasn't
8 there?

9 A Right. I got the DIRF and I -- and I saw -- I saw what --
10 I saw what -- what it looked like. I had also been receiving
11 some messages around the locks and wanted to make sure that
12 they were okay.

13 Q And does that happen? Is that --

14 MR. HAMMOND: I guess let me strike that.

15 Q BY MR. HAMMOND: How frequently does that happen where
16 you're communicating directly with the shift supervisor as
17 opposed to the store manager about issues that may come up in
18 the store?

19 A I'd say it happens at least a couple times a week.

20 Q What are -- aside from the instances you've provided,
21 whether it's, you know, a DIRF -- I guess in both instances you
22 provided it was a DIRF. What are other reasons where you might
23 be contacted by a shift supervisor as opposed to the store
24 manager about issues in a store?

25 A Yeah. So I've had supervisors reach -- reach out to me

1 because they need some support with -- well, yesterday, a
2 supervisor reached out to me because a -- a car pulled up in
3 the drive-thru and -- and another car pulled right -- an
4 undercover cop car pulled out in front of it and came out with
5 guns, and they arrested the person in -- in the drive-thru.
6 And so they called me immediately and -- to get support and see
7 what they needed to do.

8 I have supervisors call me when they're having a
9 challenging time or there's -- feels like there's an obstacle
10 between them and their store manager in -- in their
11 communication. I have supervisors call me. I'll get --
12 sometimes I'll get text messages or phone calls around, hey,
13 are you going to be in the area? We need this product.

14 Supervisors will call me around pay relation -- around
15 pay-related things. Some supervisors kind of just send me
16 messages around, like, their general thoughts of something
17 Starbucks might be doing, or a supervisor will reach out to me
18 because they -- they want to develop and grow with the company.
19 And then, you know, sometimes store managers -- or sorry --
20 sometimes supervisors will reach out to me with specific
21 concerns about the store manager.

22 Q What about partners? Do you have instances in your job as
23 a district manager where a partner will contact you directly as
24 opposed to going through the shift supervisor or store manager?

25 A Yeah, yeah. That happens a little less frequently, but

1 it -- it -- it happens. Similar thing, concerns, questions,
2 support. Once in a while, you'll have someone say, hey, can we
3 just have coffee? I say, yeah, let's do it, like.

4 Q And so you've actually done that before where a partner
5 will reach out to you and just want to have coffee and -- and
6 catch up on things or talk about issues they may be working
7 through, and -- and you do that with partners individually?

8 A Yeah, yeah. And I also have -- it's not as frequent, but
9 I try to get at least a couple roundtables in with baristas a
10 year. And so I was able to do two last year. And in those, we
11 pull partners from all the stores into, like, four different
12 meetings and same thing, build a relationship with them,
13 understand how their experience is going, feedback on how
14 their -- the store managers and myself are doing in their
15 experience.

16 Q You mentioned a few minutes ago that sometimes a store or
17 shift supervisor will reach out to you about product, wondering
18 if there's product available. Can you tell us how that works
19 within District 125?

20 A Yeah. I mean, we have -- so through -- through Starbucks
21 relationship with -- with Meta, we have the Workplace chat.
22 And so oftentimes that's where there's needs that are shared.
23 But like, I'll give you a real-life example. On -- on Black
24 Friday, the day after Thanksgiving, I was planned to be in a
25 store supporting at the Seattle outlet malls. And prior to me

1 coming in, I had one store manager reach out to me about
2 product.

3 So I tracked down that product, and then when I was at
4 that store, the store partners were like, hey, are you going to
5 be back this week? Can you get us that? And before I knew it,
6 I was going between eight stores trying to get them the stuff
7 that they needed and create an opportunity for them to not have
8 to leave their store and be -- have less -- less crew during
9 one of our busiest days.

10 Q When there is a need for inventory and it's a -- because
11 of a need at a particular store, is that typically pulled from
12 stores within the district, or do you go to stores outside the
13 district as well?

14 A Always stores within the district for me.

15 Q So for -- to give an example, we were looking at
16 previously, if you've got a -- the Mon -- the Monroe cafe store
17 that has a surplus of a particular inventory of product and
18 it's really needed at the cafe store in Tulalip, would you make
19 arrangements for or you yourself transport the product to the
20 other store?

21 A Sometimes that happens because it -- because it's the need
22 or it happens to be practical. I also just want to be, like,
23 really transparent because there was one time where I -- this
24 is probably a lot more information than y'all need to know, but
25 essentially the local logistics company had, like, a COVID

1 situation and they weren't able to deliver product.

2 I drove my truck down to Auburn to the warehouse to get as
3 much product as I could and bring it up to the stores. And
4 that -- so I said I don't go out of the district, but that was
5 the, like, one time that I did go out of district, just to be
6 transparent and honest.

7 Q When you did that, going down to Auburn to get that
8 material, the material you got, was that used just for stores
9 within your district or did you share it with other stores
10 outside your district?

11 A Just for stores in my district.

12 Q I want to show you what's been marked as Employer Exhibit
13 22. It's the same list that we've looked at before where we've
14 got the store number in the left column, the next column over
15 has the names that we were looking at previously, and there's
16 actually addresses on this particular exhibit where the stores
17 are located as well. Do you -- do you see that?

18 A Yes.

19 Q And in this, there's a map to the left. These two dots
20 here near Everett are the -- the lower one, is that the store
21 at 37th and Broadway?

22 A Yeah. Yes.

23 Q Okay. And above that, that's the other Everett store at
24 10th and Broadway?

25 A Yes.

1 Q Okay. And so when you were talking about Monroe, that
2 would be one of these two stores over here near the name Monroe
3 on the map?

4 A Yes.

5 Q Do you know which one it is, by the way, that has the
6 cafe?

7 A It's the one to the right.

8 Q Okay. And then you said you've got the zone with the
9 Tulalip store. Which store is that on this map?

10 A That's the one just to the -- all -- like, the -- the one
11 at the top just on the other side of what looks to be I-5, on
12 the west side of I-5.

13 Q Okay. And so those two stores are in the same zone even
14 though they're quite a distance apart because of the nature of
15 the stores.

16 A Yes.

17 Q Does this appear to be an accurate representation of the
18 geographic location of the stores within your district?

19 A Yes.

20 MR. HAMMOND: I offer Employer Exhibit 22.

21 HEARING OFFICER FIORIANTI: Mr. White, any objection?

22 MR. WHITE: No objections.

23 HEARING OFFICER FIORIANTI: Employer's Exhibit 22 is
24 received.

25 **(Employer Exhibit Number 22 Received into Evidence)**

1 Q BY MR. HAMMOND: What are your general expectations for
2 store managers within your district?

3 A I -- there's three things that -- that I -- I'm really
4 focused on for my store managers. One is that they're
5 achieving results. Another one is that they're living our
6 mission values. And the third one is that they're helping
7 others succeed.

8 One thing that I -- that I do that is really important to
9 me is -- as a part of my approach is, you know, basically how
10 are they growing as a leader and, like, how are they connected
11 to what -- what's important to them, to what they're doing so
12 that it's not just a job, but that there's actually mean --
13 meaning in -- in what they do.

14 Q What are some of the -- the day-to-day actions that your
15 store managers are expected to do to achieve those three
16 primary responsibilities that they have that you just
17 described?

18 A Yeah. I mean, I -- I expect Star -- Starbucks store
19 managers to -- to be creating the Starbucks experience for our
20 partners and customers, and they do that by -- by having clear
21 plans. Those plans can sometimes be written. They could be in
22 their mind. It could be a formal plan that we have as a
23 district. But they're taking those -- those plans that we've
24 put in place, observing for those plans in action, ask -- like,
25 identifying and assessing what -- what different gaps or

1 obstacles are in the way to achieving that plan, and then
2 checking and adjusting that plan to support creating the
3 Starbucks experience for partners and customers.

4 Q Bear with me just a second. I'm showing you what's been
5 previously marked as Employer's Exhibit 13. Can you tell me
6 what this is?

7 A Yeah. It's a Play -- the Playbuilder with a four-partner
8 play for peak on a weekend at 37th and Broadway.

9 Q Okay. So how is this used within the store?

10 A It's supposed to be used as a guide to determine where
11 the -- where the partners would be in position to be able to
12 create the partner and customer experience with the most amount
13 of ease.

14 Q And who has access to the partner play?

15 A It should be all store partners should be able to access
16 it through -- through the iPad.

17 Q And you said the -- it should be used. Is there an
18 expectation communicated to people in the store as to whether
19 or not they need to adhere to this -- the Playbuilder tool?

20 A Transparently, we want everyone to use the Playbuilder
21 tool and we have that expectation. And we -- it's also
22 important that this is a guide and a starting place, and we
23 work with our supervisors to be able to identify when a
24 situation in the moment might re -- might require a flex from
25 this. So I'd say it's a foundation to start with, is how I

1 would coach it, and we -- we talk a lot about and observe a
2 lot, like, when we are flexing the play, how -- what can we
3 clearly identify that tells us that's a better play than what
4 the Playbuilder guided.

5 Q So you just used the term flexing the play. Is that when
6 the store may deviate from the Playbuilder because the
7 assessment within the store has a need different than what
8 Playbuilder generates?

9 A Absolutely. Absolutely. We trust our supervisors to know
10 what they need in the moment, and there's -- something could
11 happen in the moment that while, generally speaking, that this
12 exhibit that you're showing describes the best way to be
13 deployed, somebody in the moment might actually require
14 something different. So we try to -- we work with them to
15 build their capability to know when to do that and to be able
16 to demonstrate that when they do that, what specifically is
17 better about the partner and -- and customer experience as a
18 result?

19 Q So within District 125, you delegate to your shift
20 supervisors the discretion to determine how best to implement
21 the play or flex of the Playbuilder in their stores?

22 A Absolutely. Yeah. I mean, the -- the store manager
23 writes the schedule so they determine the base play. And we
24 expect that they start with this. And then from there, you
25 know, one of the foundational things as the success of a

1 supervisor is putting themselves in the best place possible in
2 the play to create the partner/customer experience and to know
3 how to solve problems in the moment and flex that play
4 should -- should the need arise.

5 Q So to take the example that Mr. Fullerton provided earlier
6 where he said that he doesn't usually refer to this, he tries
7 to read the needs within the store, that's something within
8 District 125 that's acceptable so long as there's a rational
9 basis for why those flexes of the play are being implemented.

10 A Yeah. So long as there's a demonstration that the way
11 the -- the play was flexed is better than what the play was
12 recommended through the Playbuilder.

13 MR. HAMMOND: I offer Employer Exhibit 13.

14 HEARING OFFICER FIORIANTI: Mr. White, any objection?

15 MR. WHITE: Madam Hearing Officer, may I voir dire?

16 HEARING OFFICER FIORIANTI: Sure.

17 **VOIR DIRE EXAMINATION**

18 Q BY MR. WHITE: Hi again, Mike. I just had a couple of
19 questions about this. So during weekend -- on a weekend during
20 peak, what is the typical staffing at store 8740?

21 A That's a really good question. It's -- we've had quite a
22 bit of ambiguity the past several weeks. I think what would be
23 best to say is that prior to the snow and omicron and the store
24 being re -- remodeled, we were aligned on having at least a
25 seven- to eight-partner play.

1 Q Does the store ever drop down to four partners during peak
2 on a weekend?

3 A If the store was down to four partners on the peak on the
4 weekend, we would be -- my expectation would be that we're
5 talking about adjusting channels.

6 Q I guess just to kind of clarify, though, are -- are you
7 aware of the store ever dropping to four partners on a weekend
8 during peak?

9 A I know it's happened before. It -- it -- there was some
10 conversation of this back in, I want to say, it was either
11 August or September. And I explicitly stated if we are -- if
12 that is happening, I need to know that's happening and we need
13 to adjust the business. To my knowledge, I have not heard of
14 it happening recently, although it could have happened in more
15 recent times because I know we've been impacted by isolations
16 from omicron, but I also know that we adjusted our channels
17 down to drive-thru only.

18 Q So I know it's a little bit hard to see on this. I
19 don't -- I don't know if you have the --

20 MR. WHITE: Thanks, Ryan.

21 Q BY MR. WHITE: So if you look there, it's got channel mix,
22 cafe. I think that says eight percent. DT, which I'm assuming
23 is drive-thru, and I think that says 87 percent. And what is
24 the MO and P, four percent? What does that mean?

25 A That's mobile order and pick up.

1 Q Okay. So would it be your expectation or thought that the
2 cafe would be shut down and mobile orders and pay (sic) would
3 be shut down at this point?

4 A If this was Saturday morning, I would either be -- I would
5 actually be asking -- transparently, I would be asking -- yeah,
6 we would need to be probably no MOP, no delivery, and I would
7 also be curious around, like, are we sure that we can be open
8 right now? But I try to -- like, I try to let the store make
9 that decision. If they're going to make a decision that I know
10 is not going to work because they -- because they care about
11 the customers, they care about each other, they want their
12 hours, I might have to step in, but I really try to let the
13 store teams make that decision.

14 Q Okay. Thank you. I appreciate that.

15 MR. WHITE: No objection, Madam Hearing Officer.

16 HEARING OFFICER FIORIANTI: Okay. Employer's Exhibit 13
17 is received.

18 **(Employer Exhibit Number 13 Received into Evidence)**

19 Q BY MR. HAMMOND: You used a couple of terms during voir
20 dire, and I just want to make sure that I understand. You
21 talked about adjusting channels, and I think you talked about
22 turning off the drive-thru. What are other ways you can adjust
23 channels when there's a staffing issue in the store?

24 A Yeah. We try to say -- we try to take a stepped approach.
25 So the first thing we might do is we might turn off delivery or

1 we might turn off MOP. At that point, if needed, we might --
2 we might be drive-thru only. Sometimes we could be drive -thru
3 only with MOP still on. And then at times, if it -- like, if
4 it's -- if it's not going to be possible, I mean, let's be
5 honest, we can only do so much. We're only humans. If it's
6 not realistic, then we're going to call it.

7 Again, this is -- I trust the partners in my district and
8 I try -- I do my best to let them have the autonomy to make
9 that decision unless it's going to put -- unless it's -- unless
10 they -- they need help from me supporting and making that
11 decision. And then the only other thing that we -- that we --
12 that we might do that's come up that we -- that I learned from
13 a store that's been really helpful is there might be some times
14 where -- where we might be in a drive-thru only situation and
15 it's good to just close the store for a couple hours to give
16 some time for breaks, to get some time to get some tasking
17 done, and then reopen back up.

18 Again, we try -- like, I do my best to let the stores
19 make, like, all these decisions because they know better what
20 they need, and the partners that are working at that time know
21 better what their priorities are. For some partners, closing
22 the store might not be what they want because they have --
23 like, they're trying to earn money or they're trying to achieve
24 a certain number of hours for benefits. And so I try to really
25 trust and rely on the partners for those decisions unless

1 staying open would -- would be worse than it would be to be
2 open.

3 Q When you refer to calling it, is that at a point where
4 you're just going to close the store?

5 A Yeah. Sorry. I'm a little bit too much of a Chef Gordon
6 Ramsay fan.

7 Q That's okay. And then, are there times when you may step
8 in and help provide more support, more partners at a store so
9 that they can continue to stay open but have the resources they
10 need to do the work?

11 A Yeah. That -- that's -- I've done that before. That --
12 that's been a little more challenging recently with omicron and
13 with Starbucks adjusting their policy so that we were extremely
14 safe and having partners isolate even if there was an exposure,
15 regardless of vaccination status, because there were so many
16 stores that were having im -- impacts.

17 But there's been times in my career where for three or
18 four weeks, every Friday morning, I was at a store on the floor
19 helping as a district manager because that's what the team
20 needed. But it's not been recent that we've been in that much
21 of a situation where I was jumping in that much.

22 Q And you -- I just want to make sure I understand --
23 understand one term that I know has come up when we're looking
24 at the -- the play. Delivery. How is that different from
25 mobile order pickup?

1 A Yeah. So mobile order picked up is customers initiate
2 that through Starbucks app, and delivery, customers initiate
3 that through Uber Eats. And so Uber Eats owns the -- the
4 interface for that. And especially in stores with higher
5 delivery, it can be pretty disruptive to have customers in the
6 front ordering, customers in the drive-thru ordering, tickets
7 printing for mobile orders, and then tickets printing for --
8 for delivery.

9 MR. HAMMOND: Can we go off the record?

10 HEARING OFFICER FIORIANTI: Off the record, please.

11 (Off the record at 2:55 p.m.)

12 **RESUMED DIRECT EXAMINATION**

13 Q BY MR. HAMMOND: I'm going to share another document with
14 you. Just give me a second. I'm showing you what's been
15 marked as Employer Exhibit 14. Mr. Callahan, are you familiar
16 with this document?

17 A Yes, I am.

18 Q And can you tell us what it is?

19 A This is a seven-partner play on the weekend during peak at
20 37th and Broadway.

21 Q And so what's the difference between this and what we just
22 looked at a few minutes ago when it was a four-partner play?

23 A This play has more -- more partners, work is -- work is
24 more specified to specific parts of the store. It creates a
25 lot of capacity and is one of the best plays that we can run

1 for the customer experience if we're doing the business for it.

2 Q Okay. And so when we're looking at this, there's someone
3 that's designated as a C -- support cafe order routine, warm
4 food routine. What does that person do?

5 A Yeah. That support person is what -- is just that,
6 support. They would -- they would go between the -- the
7 register and we have customers -- as they had customers. And
8 then as a secondary role, they would work to support the person
9 on this tool that is G to be able to stay planted, is what we
10 call it, or stay where they are.

11 One -- one of the things that helps us to be effective
12 when we're warming food at Starbucks is to keep those ovens
13 warming food. And one of the things that gets in the way of us
14 being able to do that is having to take the food once it's
15 completed to where it goes. So by having an additional person
16 to take the food once it's completed to where it goes, it
17 allows that person to stay there at the oven and have more food
18 produced.

19 Q Over here on the left, there's this CBS. What does that
20 stand for?

21 A That stands for cold beverage station.

22 Q Okay.

23 MR. HAMMOND: I offer Employer Exhibit 14.

24 HEARING OFFICER FIORIANTI: Mr. White, any objection?

25 MR. WHITE: No objections.

1 HEARING OFFICER FIORIANTI: Okay. Employer's Exhibit 14
2 is received.

3 **(Employer Exhibit Number 14 Received into Evidence)**

4 Q BY MR. HAMMOND: Are there instances within your district
5 when a partner might be engaging in misconduct and there's not
6 a store manager present, yeah?

7 A Yeah, that can happen.

8 Q And in your experience, when that happens, how is that
9 managed within your district?

10 A I mean, it depends on the situation. You know,
11 depending -- you know, it -- not being unethical, illegal, or
12 immoral aside, if it's, you know, a concern about the way
13 someone speaks to someone who a concern about the way someone's
14 doing something, we always encourage the -- the partners to
15 speak to each other and work through -- and work through the
16 concerns together. It's part of being a partner and part of
17 our mission values to be transparent.

18 And if the partners aren't able to do that, or if it's
19 something that rises to the -- the level of needing more
20 support or being illegal, immoral, or unethical, I -- I will
21 be -- I -- I will slide in to support as soon as I'm able to do
22 so. As you might imagine, sometimes I don't hear about
23 everything, but if I'm made aware or something -- or something
24 does come to my attention, I will be there as soon as possible
25 to support.

1 Q If performance issues come up with -- with respect to a
2 partner or a shift supervisor and there's not a store manager
3 in the store at the time, are you generally engaged in those
4 situations?

5 A I wouldn't say that I'm gen -- I'm generally engaged.
6 There's been -- there's been circumstances where that has
7 happened, but generally, I'm not engaged unless it's something
8 that I happen to be in the store when the store manager's not
9 there. Several weeks ago, I was heading out to -- or this is
10 actually around October. I was heading out to the pumpkin
11 patch with my family, and I had gone into Frontier Village to
12 grab a coffee and check in on the partners.

13 It was extremely busy and the manager was not there, and
14 the supervisor seemed to be -- I -- I -- I could tell everyone
15 was stressed out, the -- the -- the baristas and the
16 supervisors and the customers. So I checked in to kind of
17 support and help them redeploy their people in a way that would
18 make it -- would make it less stressful and better to be a -- a
19 barista, a supervisor, and a customer.

20 Q And would you do that for any Starbucks store or just
21 Starbucks stores within your district where you'd kind of jump
22 in and -- and provide support?

23 A I mean, I -- I'm a partner, so if I saw something really
24 egregious, I would step in regardless of where I was. But by
25 and large, I frequent my stores and -- and it would only be in

1 my stores. One of the things that we hold really true -- true
2 to our process at Starbucks around coaching is, step one is to
3 establish trust, and it's important that there's a level of
4 trust there to engage.

5 And so unless it was something that rose to the level that
6 it needed to be addressed there in the moment, I would -- I
7 would probably not engage unless there was established trust,
8 which typically happens if I'm in a store that is one of my
9 stores or a store of one of the peers that I work with on a
10 regular basis.

11 Q Are you familiar with Partner Relations?

12 A Yes.

13 Q And how is it within your district that you work with
14 Partner Relations?

15 A Partner Relations shows up in a couple of different areas.
16 I -- I use Partner Relations for guidance as needed, and then
17 there are certain circumstances where Partner Relations is --
18 is -- the store manager uses Partner Relations either through
19 local partners that are assigned to our local area or through
20 our Partner Relations Center. And then any partner can reach
21 out to our local Partner Relations or to Partner Relations at
22 the Starbucks Support Center. Well, there used to be a support
23 center. They're all over the country now these days, but they
24 can reach out to Partner Relations through -- through the call
25 line.

1 Q Is there a Partner Relations person that you generally
2 work with within District 125?

3 A I -- I generally work with Laura Dean.

4 Q So if she's not available, there's someone else that you
5 can work with, but if she is available, you generally work with
6 Ms. Dean?

7 A Yeah.

8 Q Does borrowing occur within District 125?

9 A Yes, it does.

10 Q And tell us -- well, when borrowing occurs within District
11 125, in your experience, is that partners borrowing within
12 stores in the district or outside the district?

13 A Stores within the district.

14 Q And are -- are there certain stores that are more likely
15 to borrow with one another as opposed to others?

16 A I mean, there -- likely, stores that are closer together,
17 but also a lot of my district has -- like, their relationships
18 are interwoven. So you'll also see partners at work that are
19 borrowing at a store that might not actually be the store
20 that's closest to their home store. It's kind of the nature of
21 our district.

22 I'll also have -- I mean, this isn't borrowing, but I also
23 have partners that -- that will either borrow to help out
24 because they know that we're having a hard time at a store or
25 will even transfer. So we've had a couple supervisors transfer

1 to other stores for development opportunities, knowing that we
2 needed more support at a store.

3 Q And those transfers that are occurring because of a
4 development opportunity and need, are those typically within
5 the district?

6 A Yes.

7 Q And so you'll have some borrowing because people work at
8 stores within the district that are in close proximity to one
9 another, but sometimes it's just based on need at a particular
10 store?

11 A Yeah, or -- or -- or preexisting relationships. So you
12 know, partners are friends and they work at different stores,
13 and so they start with asking their friends first.

14 Q There was some discussion earlier today about the use of
15 GroupMe and Crew apps. Are you familiar with those
16 applications?

17 A I am.

18 Q And are those something that's used by yourself at the
19 district level?

20 A I don't use them at -- at the district level.

21 Q Do you know if they're used at stores within your
22 district?

23 A They are used in stores throughout my district.

24 Q Throughout. So do each of the stores in your district use
25 those applications?

1 A To my knowledge, every store in my district has some type
2 of function or a app that they're using for communication.

3 Q And why is it within District 125 that your stores will
4 have some kind of app like this to facilitate communication?

5 A Yeah. We -- we -- I -- I did a round of full-store
6 meetings in all of my stores back in Oct -- like, September,
7 October, and I wanted to really understand what it was like to
8 be a partner and check my own -- my own thoughts that I had.
9 And one of the things that consistently came up was that we
10 don't feel like there's enough frequent communication or that
11 we can get communication out to each other and share feedback.

12 And so as -- through those meetings, a lot of stores
13 organically, or sometimes from recommendation of me based off
14 of what I was seeing in other stores, came up with one of their
15 action steps to -- to use this type of -- of -- of an app in
16 order to communicate and ensure that everyone got the message.

17 Where I was brought into the conversation around those, I
18 was explicit that it was optional and was explicit that, you
19 know, it's between them and the team, but that also where you
20 are going to do this, make sure that everyone -- like, always,
21 but especially in this situation, make sure that everyone is
22 aware of what Starbucks' social -- social media policy is.

23 Q So you said this idea came out of full-store meetings you
24 were holding in September, October of 2021?

25 A Yes.

1 Q And a full-store meeting, I think the name implies it but
2 just to confirm, who attends those meetings?

3 A We wanted everyone in the store to attend the meeting.

4 Q And you attended those meetings for each of your stores?

5 A I -- I attended and -- and partnered with the store
6 manager. I'd say I was probably doing about 80 percent of
7 leading the meeting. The store manager's doing about 20
8 percent of it.

9 Q So you attended each of the meetings for your 11 stores?

10 A Yes.

11 Q And it was from those meetings that one of the things that
12 came out of those was a desire of partners to be able to
13 communicate more directly with themselves?

14 A Yes. And more broadly. You have -- in a store, you
15 have -- sometimes you'll have a dynamic, especially a store
16 with broader hours, a dynamic where there are some partners
17 that might actually not even see the partners that work. So
18 like, the closers might never actually see the openers. And
19 they -- you know, we wanted to be able to do what we could to
20 foster relationships and make sure everyone had the information
21 they needed to be successful.

22 Q So the use of the Crew app and the GroupMe app sound like
23 they were solutions you implemented on a district-wide basis to
24 fix a need for the stores in your district?

25 A Yeah. I -- yeah. To be -- to clarify, I didn't direct

1 it, but there were a couple of times where I recommended it
2 based off of what I was hearing. So I don't have an
3 expectation that every store has a Crew app or a GroupMe app,
4 nor does Starbucks. I do have an expectation that every store
5 manager has a process for ensuring that communication is clear
6 and broad and -- and has the reach it needs to in each store.

7 Q So when you described a minute ago that it's completely
8 voluntary, that's both the stores choosing to use it and the
9 partners signing up for it?

10 A Yes.

11 Q So there may be some stores that are using it, but all
12 partners don't use it in that store; is that right?

13 A That could be possible, yes.

14 Q And --

15 A I know -- I know at least one store where a couple of the
16 partners are, like, I'm not doing that, and I said, okay, cool.

17 Q And it sounds like each of your stores have one of those
18 apps that they're using, but that's because each of your stores
19 have chosen to use it, not because you're requiring it.

20 A To my knowledge, yes.

21 Q So I guess to say differently, based on your testimony,
22 there was a need identified from these full-store meetings
23 that -- and you came up with the possible solution that you
24 shared with the store managers, and they then made the decision
25 whether or not to implement it in their stores?

1 A Right.

2 Q In the communication about the opportunity to use these
3 apps as needed in stores, that was something that was
4 communicated by you at the district manager level?

5 A Yes, you could say that.

6 Q To your knowledge, has the use of these apps increased the
7 amount of borrowing within your district?

8 A It did until, like, three weeks ago when we launched Shift
9 Marketplace at Starbucks, which is an incredible app that's
10 just -- just getting started that integrates Starbucks systems
11 into borrowing, and we're seeing a lot more borrowing happen.
12 Why -- I'm hearing a lot more about borrowing than I've heard
13 as a result of Shift Marketplace launching.

14 Q And that's a -- that's a Starbucks-managed application?

15 A Yes.

16 Q And so partners who want to borrow at different stores are
17 able to access that information through Shift Marketplace?

18 A Kind of. Partners that need to have a shift covered can
19 post their shift, and partners that are looking for hours can
20 review shifts and -- and choose to work them.

21 Q Is that tool that's only been in place for a few weeks
22 now, is that, in your view, replacing some of the needs that
23 were these other applications, GroupMe and -- and I'm
24 forgetting the other one --

25 A Yeah. I --

1 Q -- the Crew app for meeting?

2 A Yes. I've heard a handful of times, I've heard a partner
3 say, oh, we don't need to cover that shift anymore, take it off
4 because it got covered in Market -- in -- in Shift Marketplace.

5 Q So if it gets covered in Shift Marketplace, everyone can
6 see it's covered, I assume.

7 A That's a good question. I'm -- I'm not positive on that.
8 I know that the store manager can access it and see, but I
9 don't know what the interface is yet. It's on my list of
10 things to check out because, as you might imagine, I'm not on
11 Shift Marketplace to give shifts or collect them.

12 Q But the -- the difference between this application and the
13 Crew app or the GroupMe app is someone may agree to cover
14 shifts there but it isn't tied into any system at Starbucks.

15 A Right. It would -- right. The store manager would still
16 need to approve that, and there still would be, de -- depending
17 on when the shift was and that was being covered, there would
18 still need to be store notification.

19 Q The expectation of work duties for jiff -- different job
20 classifications within your district such as baristas, shift
21 supervisor, and store managers, is that the same or different
22 throughout your district? So for example, a barista at any of
23 your stores, is the skills going to be the same at the other
24 stores within the district, or do they vary?

25 A Broadly, yes, with one exception. A store -- a barista

1 that is at a cafe store might not have as much experience, or
2 if they're newer and have never worked in a drive-thru store
3 might not have drive-thru experience, but we work to actively
4 create opportunities for them to get that throughout their
5 experience after they've trained so it's not as disruptive.

6 Q Are the duties and skills for a shift supervisor the same
7 or different throughout your district?

8 A Yes, the sa -- with the exception of the drive-thru piece.

9 Q They're the same?

10 A Yes.

11 Q And what about your store managers?

12 A Yes.

13 Q The same duties and expectations?

14 A Yes.

15 Q Are -- the products in the stores within your district,
16 are they the same or are they different?

17 A They're the same.

18 Q What about equipment? Is it the same or different
19 throughout your district?

20 A By and large, the same.

21 Q What about store hours? Do those -- are those generally
22 the same throughout your district, or do they vary?

23 A They vary. We have -- like, I think, the store that has
24 the most limited hours closes around 5 or 6 and the store -- it
25 opens around -- I think the latest store opens in district

1 around 6. And then the stores that close the latest close
2 around 9 and open -- the earliest I have stores open at 4 a.m.

3 Q You said it's just one close -- one store that tends to
4 close earlier than the others?

5 A Yeah. The Monroe cafe store has pretty limited hours.
6 But yeah. I mean, yeah.

7 Q What about benefits of partners within your district? Are
8 the benefits the same or different for partners in your
9 district?

10 A They're the same.

11 Q How about policies that apply to your partners? Are those
12 the same or different throughout your district?

13 A They're the same.

14 Q Promotional opportunities in District 125, are those
15 generally the same throughout the district or do they vary?

16 A They're the same.

17 Q Training that's provided to partners throughout District
18 125, is that generally the same or is that different?

19 A That is the same. And some -- at some stores, it's --
20 foundationally it's the same. It always starts with what the
21 company -- standard company policies are on training, and some
22 stores are making additional investments based off of plans
23 that they have on training.

24 Q For hiring, who has the ability to hire baristas within
25 District 125?

1 A Store managers have -- have the -- are responsible for
2 hiring, and assistant managers are a part of that process, but
3 ultimately, the decision is with the store manager.

4 Q And what about shift supervisors. Who has the authority
5 to make that decision within your district?

6 A Store managers, and usually with -- with -- store managers
7 mostly, and at times, I'll be brought into the conversation.

8 Q When would you be brought into the conversation for the
9 hiring of a shift supervisor?

10 A When -- well, so when -- typically, when there's a need
11 for a supervisor, that's a conversation just foundationally,
12 like, hey, I need to hire a supervisor. Awesome. Great. And
13 then if there's movement that needs to happen or if we're in a
14 partner planning meeting and we're talking about needs, that's
15 where we might talk about the baristas that are aspiring to be
16 supervisor and what we're doing to support their development.

17 Q Who -- who has the authority to hire assistant store
18 managers in your district?

19 A That would be me.

20 Q And you talked about store manager trainees. Do you have
21 one of those right now?

22 A Yep. That's me, too.

23 Q And the decision for who would be store manager, who has
24 that authority in your district?

25 A It's me.

1 Q If there's a -- a head count adjustment needed either up
2 or down, is that something that you decide as a district
3 manager or can the store managers determine the necessary head
4 count for their stores?

5 A It's -- it's I would say -- at the supervisor level, it's
6 me. So there's expectations around how many supervisors a
7 store should have, and then if we vary -- if we veer from that,
8 it's me approving that. It's also me checking in. I expect my
9 store managers to know the head count they should have and be
10 clear on that. I monitor it and check in as needed to
11 determine what that head count would look like if there's a
12 difference between me and the store manager.

13 Q Are there a number of hours budgeted for each of your
14 stores in the district?

15 A It's not -- it's not quite a budget. Starbucks is -- is
16 unique to the industry in that we -- we use an algorithm to
17 determine the amount of labor that a store gets based not just
18 on the amount of customers we get but also based off of fixed
19 tasks and based off of the best estimate that we can make to
20 have a great experience for partners and customers. And so
21 each store, depending on -- on the number of customers they
22 see, will earn a certain amount of labor.

23 Q Are you able to, as a district manager, if one store is
24 short on labor, pull labor from one store and shift it over to
25 the store that has that need?

1 A No.

2 Q Okay. And similarly, if there's a store that's over
3 budget on labor, are you able to move that over to a different
4 store?

5 A No.

6 Q Okay. So the -- the labor allocation is store-specific.

7 A Yes.

8 Q And any variation from that requires approval from you as
9 a district manager?

10 A Yes.

11 Q When do you get involved, if at all, in the discipline of
12 partners?

13 A I'll be pulled in whenever -- whenever the -- the -- we
14 have a Virtual Coach process at Starbucks. That is a decision-
15 making tool. I'll get pulled in whenever that comes up. I'll
16 get pulled in whenever a store manager wants support. I'll
17 typically be pulled in for some final corrective action or --
18 or separation conversations if it's involuntary.

19 Q So if it's a final corrective action or separation, you're
20 going to be involved in that decision-making process?

21 A Yes. Not -- yes. Like, the decision-making process, as a
22 thought partner, I'm not the one that owns whether or not it
23 happens, if that makes sense.

24 Q And you'll be brought in as well on the Virtual Couch even
25 if someone's just going to receive coaching or documented

1 coaching?

2 A Depending on the situation.

3 Q Do you have any kind of an expectation as to whether or
4 not the store managers in your district utilize Virtual Coach?

5 A Yes, they should all be using it.

6 Q And is that any instance when there may be a need for
7 corrective action?

8 A Yes, that's any time that there's a performance concern or
9 performance support.

10 Q If you found out a store manager wasn't doing or using
11 Virtual Coach when there was a need for performance management,
12 what would you do in that instance?

13 A I would follow up with performance support.

14 Q With the store manager?

15 A Yes.

16 Q Are the store managers in District 125 given any
17 discretion to deviate from recommendations that may be provided
18 through Virtual Coach?

19 A No. They would need -- they would need -- if they want --
20 if they thought that was the right thing to do, they would need
21 to get guidance from me or from Partner Relations.

22 Q So for example, if the coa -- if the store manager, using
23 the Virtual Coach, and they go through the process and it
24 recommends corrective action, but for whatever reason they're
25 reluctant to want to do corrective action, they would need to

1 connect with you and Partner Relations before doing something
2 other than what was recommended by Virtual Coach?

3 A Depending on the situation, yes, me or Partner Relations
4 would be the expectation.

5 Q They would at least need to connect with one of you before
6 they did anything different.

7 A Exactly.

8 Q Have you had need to do layoffs in District 125 since
9 you've been the district manager there?

10 A Not layoffs, to my -- to my knowledge.

11 Q Have you been through layoff processes in other districts
12 before?

13 A I've been with Starbucks when there were layoffs, but I
14 was not impacted and my district was not impacted by layoffs.

15 Q Do you know who would have ownership for the decision on
16 who would be laid off in the event it needed to occur within
17 your district?

18 A I'm not positive. I know it -- I mean, having never done
19 that before, I don't know. I don't think it would be me, but I
20 haven't been -- haven't been at that crossroads before.

21 Q Were there any voluntary layoffs during the pandemic that
22 had to occur within District 125?

23 Q We, based off of -- during the pandemic, based off of what
24 partners wanted to do, they had options, and there was an
25 option for a partner to choose to leave Starbucks and receive

1 severance if they chose to.

2 Q Was that administered at the district level?

3 A Guidance was handed down from Starbucks through the
4 district manager and then store managers led those
5 conversations.

6 Q So you provided the training to store managers in your
7 district on those options?

8 A Yes. And a couple times, I was asked to support specific
9 conversations.

10 Q There was testimony earlier today about the need for a
11 period of time to close the 8740 store for remodeling. Did you
12 hear that earlier today?

13 A I sure did.

14 Q And how has that managed to -- to the extent that partners
15 were borrowed in other stores during that time period, was that
16 down at the district level?

17 A That was done predominantly between Ming, the store
18 manager, and Matt, who's the store manager at -- at 10th and
19 Broadway. And essentially, we wanted to ensure that -- like,
20 obviously, if the store can't be worked in because it's not
21 functional, we wanted to make sure partners have the hours
22 that -- that they needed, and so they had options to take time
23 off or they had options to go work at another store if they
24 wanted to.

25 Q And do you know where those partners would have borrowed

1 to -- which stores they would have borrowed to during that
2 closure?

3 A Predominantly, it would have been 10th and Broadway, and
4 then I -- I don't know for certain but we had some discussion
5 of the Seattle outlet store or the store in Marysville on 88th.
6 But I don't know that that happened.

7 Q That was an option made available, though, to the partners
8 impacted by the closure at 8740?

9 A Yeah. There was, like, B and C options if we had more
10 partners then we had shifts that wanted to work.

11 Q Are you aware of any partners at 8740 borrowing outside
12 the district during that store closure?

13 A No.

14 Q We may have discussed this. I just want to make sure.
15 Have you had any instances where you would have a -- a shift
16 supervisor at one store provide support at another store in
17 your district?

18 A We've had that happen.

19 Q And how often does that happen?

20 A It's not a regular thing, but it does happen maybe for a
21 vacation, maybe we have a period when we're down. I know that
22 prior to -- I know between the -- the periods of January -- or
23 actually December of 2020 and through, like, maybe March 2021,
24 we had supervisors that were helping at 8740. We had another
25 store manager from another store in our district that was

1 helping at 8740. And we had supervisors from at least one
2 other store helping out.

3 Q Have -- have -- to your knowledge, have you had
4 supervisors, shift supervisors at 8740 providing support at
5 other stores in the district?

6 A I'm not aware of whether or not they went to help out
7 during the remodel because when a -- like, when a store closes
8 and there's another store in -- in -- in close proximity, that
9 store usually sees an uptick in business, and so will often ask
10 partners to go work. I do know that two of the supervisors
11 there, we asked if they would be open to transferring there
12 from other stores perm -- permanently when we had a need for
13 supervisors, and it was really helpful. And they've been doing
14 some incredible things.

15 Q Did some of those supervisors then permanently transfer to
16 another in your district?

17 A Yeah. Yes.

18 Q And who are those supervisors?

19 A Kaylie transferred from 88th to that store, 3321. And
20 Stephanie transferred from 88th, store 3321. And then I'm not
21 sure if this is relevant, but I always -- I always work to have
22 an assistant manager in that store for support. And I like
23 to -- I like to give every one of my assistant managers, if
24 possible, time at 37th and Broadway as a part of their
25 development. So that's something that I try to also have my

1 assistant managers somewhat more flexible to support as needed.

2 Q So they'll rotate through 37th and Broadway?

3 A Yes.

4 Q And you said Kaylie and Stephanie, they transferred from
5 the 88th Street store to 8740?

6 A Yes.

7 Q As shift supervisors?

8 A Yes.

9 MR. HAMMOND: I appreciate your time. That's all the
10 questions I have for you right now. The hearing officer or the
11 Union's counsel may have questions for you.

12 HEARING OFFICER FIORIANTI: Okay. Mr. White, do you
13 need -- well, do you have cross-examination for Mr. Callahan?

14 MR. WHITE: Yes, I'll have cross-examination.

15 HEARING OFFICER FIORIANTI: Do you need some time to
16 prepare?

17 MR. WHITE: I would appreciate that, yes.

18 HEARING OFFICER FIORIANTI: How much time do you need?

19 MR. WHITE: I think probably 20 minutes and we --

20 HEARING OFFICER FIORIANTI: Okay.

21 MR. WHITE: Madam Hearing Officer, do you want to go off
22 the record?

23 HEARING OFFICER FIORIANTI: Sure. Off the record.

24 **(Whereupon, the hearing in the above-entitled matter was closed**
25 **at 3:37 p.m.)**

C E R T I F I C A T I O N

This is to certify that the attached proceedings before the National Labor Relations Board (NLRB), Region 19, Case Number 19-RC-289827, Starbucks Corporation and Workers United, held at the National Labor Relations Board, Region 19, 915 2nd Avenue, Suite 2948, Seattle, Washington 98174-1006, on February 25, 2022, at 9:58 a.m. was held according to the record, and that this is the original, complete, and true and accurate transcript that has been compared to the reporting or recording, accomplished at the hearing, that the exhibit files have been checked for completeness and no exhibits received in evidence or in the rejected exhibit files are missing.


CLAUDINE METOYER

Official Reporter

OFFICIAL REPORT OF PROCEEDINGS
BEFORE THE
NATIONAL LABOR RELATIONS BOARD
REGION 19

In the Matter of:

Starbucks Corporation, Case No. 19-RC-289827

Employer,

and

Workers United,

Petitioner.

Place: Seattle, Washington (via Zoom videoconference)

Dates: February 28, 2022

Pages: 148 through 234

Volume: 2

OFFICIAL REPORTERS
eScribers, LLC
E-Reporting and E-Transcription
7227 North 16th Street, Suite 207
Phoenix, AZ 85020
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UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

REGION 19

In the Matter of:

STARBUCKS CORPORATION,

Employer,

and

WORKERS UNITED,

Petitioner.

Case No. 19-RC-289827

The above-entitled matter came on for hearing, via Zoom videoconference, pursuant to notice, before **HELENA A. FLORIANI**, Hearing Officer, at the National Labor Relations Board, Region 19, Jackson Federal Building 915 Second Avenue, Room 2948, Seattle, Washington 98174, on **Monday, February 28, 2022, 9:29 a.m.**



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I N D E X

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>VOIR DIRE</u>
Michael Callahan		153			
Hossein Borhani	179	199	209		
Dustin Thomas Bosserman	210	224			

E X H I B I T S

<u>EXHIBIT</u>	<u>IDENTIFIED</u>	<u>IN EVIDENCE</u>
Board:		
B-2	152	153
B-5	228	228
Employer:		
E-15	178	179
E-16	178	179
E-17	178	179
E-18	178	179
E-19	178	179
E-20	178	179
E-21	178	179
E-23	180	185
E-24	185	198
Petitioner:		
P-4	175	179
P-3	176	179
P-2	177	179
P-5	178	179
P-6	178	179
P-7	178	179

P R O C E E D I N G S

HEARING OFFICER FLORIANI: Okay. Good morning. This is day two of the hearing in case number 19-RC-289827. During off-the-record discussions, I understand the -- the parties discussed a number of stipulations contained in what is now marked as Board Exhibit 2. These include, among other items, that the Petitioner is a labor organization within the meaning of the Act, that there is no contract bar, that the Employer meets the jurisdictional standards of the Board.

The parties have also stipulated and requested that the hearing officer take administrative notice of certain documents and records from other Starbucks cases from -- from this region and from others around the country. The parties are reminded to please cite the specific pages in the PDF versions of the transcripts, not the word versions that they may wish to cite in their post-hearing briefs.

The parties also stipulated on the part of unit description and also stipulated to a method of an election should one be directed. Are there any objections to the receipt of Board Exhibit 2, Mr. Hammond?

MR. HAMMOND: No objection.

HEARING OFFICER FLORIANI: Mr. White?

MR. WHITE: No objections.

HEARING OFFICER FLORIANI: Hearing no objections, Board Exhibit 2 is received into evidence.



1 **(Board Exhibit Number 2 Received into Evidence)**

2 HEARING OFFICER FLORIANI: Okay. Now, when we last left
3 off, Mr. Callahan had -- but -- we had -- we had finished with
4 Mr. Callahan's direct. And now, Mr. White, you have cross?

5 MR. WHITE: I do.

6 HEARING OFFICER FLORIANI: Okay. Proceed. And Mr.
7 Mike -- Mr. Callahan, I'd like to remind you that you're still
8 under oath. Thank you.
9 Whereupon,

10 **MIKE CALLAHAN**

11 having been previously sworn, was called as a witness herein
12 and was examined and testified, telephonically as follows:

13 **CROSS-EXAMINATION**

14 Q BY MR. WHITE: Good morning, Mr. Callahan. Is it still
15 okay if I call you Mike?

16 A Sure is.

17 Q Great. Thank you. And thanks for your patient with --
18 patience with us this morning. I'd like to just start by
19 getting a little bit more background on your district. So I
20 want to first show you what's been admitted through Board
21 Exhibit 2 as Petitioner Exhibit 6. I'm going to share my
22 screen here. Can you see this map okay?

23 A Yes, I can.

24 Q Okay. Great. So on page 1 here, it looks that -- like we
25 have a number of districts, including your district; is that



- 1 correct?
- 2 A Yes.
- 3 Q Would this be your area that your district is assigned to?
- 4 A Yes.
- 5 Q What area number is that area?
- 6 A Area 9.
- 7 Q Area 9. Okay. So area 9 runs all the way from the
- 8 Washington/Canadian border down through a couple of counties
- 9 all the way down to Kirkland and Redmond?
- 10 A Yes.
- 11 Q If I recall correctly, you mentioned that you were the
- 12 district manager for the Woodinville area before; is that
- 13 correct, or am I misrecalling that?
- 14 A Yes.
- 15 Q What district number was that?
- 16 A It was district 117. It's not quite -- it's much
- 17 different on this map because we had realignments and --
- 18 Q Okay.
- 19 A -- but it was district 117.
- 20 Q When did that realignment take place?
- 21 A October of 2021.
- 22 Q So as we look, we're still on page 1, as we look at kind
- 23 of the north end of your district, the Marysville store, is
- 24 that the farthest north store that you have?
- 25 A Yes.

1 Q And the map kind of blurs it out, but there's -- it looks
2 to be two or three pin points on the right side in purple, do
3 you recall what stores those are?

4 A Are you talking on the right side of the map?

5 Q Yes.

6 A Yeah. Those two stores are -- one is Lakewood Crossing,
7 and one is also Smokey Point.

8 Q Okay. How far are those stores from your more -- most
9 northern store in your district?

10 A I'd say couple of miles at most.

11 Q Okay. Stop sharing my screen now. How many employees do
12 you have in district 125?

13 A There's about 276, give or take, a week.

14 Q And of those 276, give or take, how many are baristas?

15 A Let's see. I don't have the exact number. I would --

16 Q That is okay.

17 A Yeah. An estimate. I'd say probably somewhere around
18 225, maybe a little less than that.

19 Q So then roughly the remaining 50 there. About how many of
20 those are shift supervisors?

21 A Probably somewhere between -- I'd say we have between 40
22 to 60 supervisors if I was estimating.

23 Q Okay. And just so I'm clear, does that include store
24 managers and assistant store managers?

25 A No, that would be different.

1 Q Okay. Thank you. You mentioned that you work with Laura
2 Dean from Partner Relations. I'm curious about her scope. I
3 know Starbucks uses terms like district, area, and region, so I
4 don't want to confuse the matter. Does she cover a specific
5 geographic division of Starbucks?

6 A Yes. She -- she currently is supporting three areas, area
7 9, area 37, area 125.

8 Q Okay. Do you know where area 37 is?

9 A Directly south of area 9.

10 Q And then what -- what was the last area? I apologize.

11 A Area 125.

12 Q Well, where is that roughly?

13 A That's Eastern Washington, to my knowledge.

14 Q Understood.

15 A Yeah.

16 Q You talked about going to jazz performances as a kid at
17 Starbucks. Do any of your stores have these performances?

18 A No.

19 Q You also mentioned that you've divided your district into
20 four zones, and I -- I recall that you say -- said that the --
21 the factors on what consisted of those zones were proximity,
22 the type of store, and revenue; is that accurate?

23 A Yes.

24 Q All right. And you described one of the zones as the two
25 Everett stores and the Marysville store; is that right?

1 A Yes.

2 Q And that's because they're -- they're in a zone because of
3 proximity?

4 A Proximity and also sales volume and store type.

5 Q Okay. What type of stores are they?

6 A They're all drive thrus. They all do a similar volume,
7 not exactly the same, but similar.

8 Q And they all have cafes as well?

9 A Yes, there's in-store cafes.

10 Q And then one of the Monroe stores and the Tulalip area
11 store is in another zone because they're -- they are cafes
12 only?

13 A Yes.

14 Q What are the other two zones?

15 A There is as -- there's a zone that has Monroe drive thru,
16 Lake Stevens drive thru, and also Marysville drive thru that
17 are all similar in sales volume and have -- see -- see more
18 business. And then the other zone is the two Snohomish drive
19 thrus as well as another Marysville drive thru. And those are
20 on the lower end of the drive thru volume in my district.

21 Q So those last two zones, you don't have them grouped as
22 a -- together because of proximity?

23 A No. It's more because of the type of business that they
24 have.

25 Q Okay. So I want to talk a little bit about Starbucks'

1 hiring. Can you explain to me how Starbucks' hiring system,
2 which I -- I recall is Taleo; is that correct?

3 A Taleo, yes.

4 Q Taleo. I apologize. Can you spell that for me?

5 A T-A-L-E-O.

6 Q Great. Thank you. How does that work on the manager
7 side?

8 A Yeah. There's -- requisitions are -- are created for
9 positions and through the different channels that people might
10 apply to Starbucks when they're looking at Starbucks career
11 website or any -- through third party websites. It pulls all
12 of the candidates that apply to specific stores. And then
13 store managers take time out each week to review candidates and
14 then touch base with those candidates to confirm application,
15 confirm details. And then based off of that, may choose to
16 move forward to a formal interview. Each step of the way,
17 there's a process for them to use the interface to move the
18 candidates through -- through the system.

19 Q And then when it comes time to decide whether to hire that
20 candidate, does the individual store manager for that specific
21 store decide whether to hire that candidate or -- or does
22 somebody else make that decision?

23 A It varies. There's a lot of times it's the store manager
24 making that decision to hire for their own store. And there's
25 other times where the store managers that are -- every store

1 manager in my district is actively hiring regardless of if they
2 might have a need. So there's other times where they might
3 reach out, and say, hey, I -- I have someone that would be
4 really great. And then they informed me and how they
5 communicate that process, because you know, there's -- there's
6 an existing relationship built with the candidate, with the
7 manager that started the process.

8 Q So if, say, for example, someone -- you have a candidate
9 in the Mon -- for one of the Monroe stores. And then that
10 Monroe store manager likes that candidate, but doesn't have a
11 place for them, and they wanted to -- but they -- they still
12 wanted to have that person hired. And let's say that was at
13 the 37th -- and and Broadway store. That Monroe store manager
14 would then contact Ming to get that person hired?

15 A Yeah. I mean, there would be multiple conversations --
16 like a few conversations, right, coordinating with the
17 candidate, coordinating with the store manager. Typically when
18 that happens, there -- it's like, either there's already a
19 known need and a partnership on that or -- or there's more of a
20 broad sharing of, hey, there's this really great candidate,
21 anyone interested? And then there's conversations that will
22 follow af -- af -- after that.

23 Q So then would it be the store manager that is ultimately
24 hiring that person into that specific stores -- do they have
25 what would basically be the final determination on whether that

1 person comes into that store?

2 A I think the store mana -- obviously, the store manager
3 owns who they choose to bring onto their team. It's happened a
4 couple of different ways. Sometimes that candidate is switched
5 in the system to the store. Other times, this -- the
6 candidate's hired and then transferred for the ease of the
7 candidate after they've been hired.

8 Q Okay. Thanks for that clarification. So you -- you
9 mentioned transferring?

10 A Um-hum.

11 Q We -- you know, we've talked about transferring in
12 previous cases. Can you just kind of give an overview of how a
13 candidate -- or not a candidate, but how a barista would
14 transfer between stores?

15 A Yeah. Baristas, there's a couple of different situations
16 where -- where transfers happen. Sometimes -- by and large,
17 transfers happen when someone says, hey, I'm interested in --
18 in -- in transferring. They let their store manager know.
19 They fill out a transfer request form. Once the transfer
20 request form is filled out, somewhere around that, either
21 before or after, the store manager that supports the partner
22 and/or the partner, kind of, do an assessment of where they
23 would like to transfer to.

24 Then at that point, the transfer request comes to me, and
25 I forward it to the district manager that is that the partner's

1 interested in going to. And then they start the process for
2 whether or not they're going to approve that transfer. If they
3 approve it, they send back a notification that it's been
4 approved and then the store managers coordinate on that date.
5 That's one way that it happens.

6 Another way that it happens if -- is if we have needs or
7 there's development opportunities, that the -- the transfer
8 conversation might start at the -- at the leader level with --
9 or in ongoing development conversations. And at that point,
10 the partner would go through the transfer process, like, based
11 off of the conversations that we had.

12 Q So if you had a partner transferring just within your
13 district, you'd be essentially the sending and receiving
14 district manager, correct?

15 A Correct.

16 Q And then you would forward that transfer request to the
17 receiving store manager?

18 A I mean, that's -- that's, like, the formal way that it
19 works. Most often, there isn't a transfer re -- like, form in
20 that process. But that's something we're working on, getting
21 more clear on so.

22 Q I -- understood. So you know, as we've kind of talked
23 about hiring and transferring at -- these all kind of lead to
24 an employee, a partner, a barista having a home store, right?

25 A Yes.

1 Q And that's their designated place where they would
2 normally work? That's where they're scheduled; is that fair?

3 A Yes.

4 Q So related to hiring, you talked about some hiring fairs.
5 Who conducts the interviews at those fairs?

6 A Groups of store managers conduct the interviews.

7 Q Okay.

8 A Sometimes assistant managers will join store managers as
9 part of their development.

10 Q Do you ever conduct interviews at the hiring fairs?

11 A No.

12 Q And I think you alluded to it earlier, but I just want to
13 make sure. Store managers can hire employees outside of the
14 hiring fairs?

15 A Yes.

16 Q And so if an employee wants to go work at another store,
17 you know, say, for example, they decide to borrow a shift,
18 what's the process for them to go work in a different store for
19 the first time?

20 A Well, typically, what -- what will happen if it's --
21 there's a couple of different circumstances. So if it's, like,
22 two partners coordinating, that will typically be -- there's
23 some type of communication between the two partners. There's
24 an agreement to take the shift. And then there's communication
25 back to the store. At that point, prior to the payroll

1 processing, the store manager will need to ensure that that
2 partner was borrowed to their system. So if a partner is not
3 borrowed to the system, then we can't input the hours.

4 If it's a situation where store managers are -- where
5 store managers are looking for -- for coverage, they will
6 coordinate having partners borrowed into their system so that
7 those shifts can be worked and that the timecards can reflect
8 their -- their -- their work. That's the process for borrowing
9 back and forth.

10 Q Okay. I just have -- to kind of recap, though, if an
11 employee -- if a barista hadn't worked in a store before, the
12 store manager or could it be -- I guess, could it be a shift
13 supervisor, they -- someone has to go in manually enter them
14 into the system to be able to get paid for their -- the work at
15 that store?

16 A Yes. And it has to be store manager.

17 Q Okay. So you mentioned that you have three assistant
18 store managers in your district and one store manager trainee.
19 It's my understanding that assistant store managers are going
20 on to -- you know, eventually become store managers. Can you
21 describe the difference between an assistant store manager or
22 the role of assistant store manager and a store manager
23 trainee?

24 Q Oh, yes. So an assistant manager is someone who's -- who
25 is training -- essentially training to -- training and

1 practicing to be a store manager. So the training process
2 is -- is four weeks. And then we target a 6- to 12-month time
3 frame for them to practice the role and be ready to take on
4 their own store.

5 A store manager trainee is someone who's hired as a store
6 manager newly to the company. And they go through eight weeks
7 of training, two weeks of barista, two weeks of supervisor,
8 four weeks as manager. And they typically are ready to take on
9 a role right after their training.

10 Q Got it. So with your store manager trainee that you
11 currently have, is that position always in existence or is this
12 just a special circumstance because you hired someone directly
13 in as a store manager?

14 A My goal -- my -- my -- my current forecasting, basically,
15 is showing that I need to try to maintain a newly hired store
16 manager as often as possible. So for instance, I have one
17 that's done that is likely going to be getting ready to go to
18 their own store. And I have another one that's just started
19 this week.

20 Q Okay. So it's more of a permanent position than it is a
21 temporary position?

22 A Yeah. Sometimes there's gaps because of the fact that,
23 you know, you can't find someone that has that qualifications
24 or you know, the job market's aggressive these days, so.

25 Q That's fair.

1 A Yeah.

2 Q Can you remind me which three stores you have assistant
3 store managers at?

4 A Yes. I -- assistant store manager at 3215, that's the
5 Frontier Village store. I have an assistant manager at 26209.
6 That's the 4th and 47th store in Marysville and a store manager
7 (sic) at 8740, which is 37th and Broadway.

8 Q And where's your store manager trainee?

9 A Oh, they are at store 22817, which is 10th and Broadway.

10 Q Is there a reason why you have assistant store managers
11 and the store manager trainee at those four stores compared to
12 the other, oh, remind me, I'm sorry, is it seven stores in your
13 district -- for a total of seven --

14 A Yeah, seven -- seven stores. Yeah. My approach towards
15 assistant managers -- well, at -- like, to start, with the
16 newly hired store manager, the store manager has to be
17 certified to train, so that -- so that's kind of the first part
18 of it. I have, I think, five or six folks that are certified
19 trainee store managers. So that's a -- that's one factor.

20 Another factor is I try to put assistant store managers in
21 it -- in stores that -- that could use more support from a
22 leadership perspective. That might be revenue. Particularly
23 at 37th and Broadway, we have challenges with the -- with the
24 environment the stores in from a safety perspective. And those
25 stores are often really great places for those assistant

1 managers to learn and accelerate their growth because
2 there's -- because there's more going on, there's more practice
3 and more -- and more experience.

4 Q So you mentioned 37th and Broadway and -- and some of the
5 different aspects of it. And you talked about your experience
6 working at a high-revenue 24-hour store and the challenges that
7 are faced within those types of stores. Can you kind of expand
8 on what challenges you think those stores face?

9 A So my experience, the challenges that I feel are really
10 similar to what I experienced in my high-volume 24-hour stores,
11 is not so much the volume or the revenue of the store, but
12 it's -- it's the challenges to safety. It's the challenges
13 with -- with -- with the -- with the like, area the store's in.
14 So northeast Seattle, right there of of I-5, we often had
15 similar dynamics of customers that needed more support,
16 customers that were working through addiction, customers that,
17 you know, didn't have a place to live. And so we're using the
18 store as -- as -- as a resource.

19 And we would often find ourselves in situations where
20 customers would be disruptive for a -- a myriad of reasons.
21 You know, whether it's -- you could tell it -- it -- or it
22 appears they're under the influence. They're not acting
23 inherently, loud, stealing stuff, in the bathroom for super-
24 long periods of time. And then you go into the bathroom, it's
25 just trash. Needs a lot of time to -- to -- to -- to clean up.

1 And then also, what is also similar -- some of the similar
2 dynamics, not perfect match, but similar dynamics is our
3 partners. A lot of the partners were kind of in the same --
4 had -- had similar things going on, whether that was school,
5 whether that was trying to navigate a challenging rent market.
6 You know, a lot of partners that, you know, really relied on
7 Starbucks for -- for support and for the benefits that we had.
8 And so working to balance, how do we equip and navigate
9 ourselves to be successful in these disruptive circumstances
10 and also connect our partners to the benefits they have so they
11 don't feel like they have to choose one over -- one over the
12 other.

13 Q So you feel that these challenges and dynamics apply to
14 37th and Broadway?

15 A Yes.

16 Q Is that more so to 37th and Broadway than other stores
17 within your district?

18 A I -- I would say based off of the -- the number of
19 disruptive situations we have there, I would say so; yes. 10th
20 and Broadway, 22817, they're really starting to kind of be on
21 par for some similar --

22 Q Okay.

23 A -- not -- not quite as -- at the level of 37th and
24 Broadway. But I think right now for the year, they're like
25 neck-and-neck for the amount of digital incident report forms

1 they're having as a result of disruptive behavior.

2 Q Okay. And with the -- with the digital incident report
3 forms, the DIRFs, I just want to make sure that my
4 understanding of those are correct, that if an employee files a
5 DIRF, you automatically get notified of -- of that DIRF filing?

6 A The moment they submit, it goes to my email box.

7 Q Okay. So a couple of questions about some Starbucks
8 parlance terminology here. As I understand it, Starbucks has a
9 term for the person that is running the floor. They're called
10 the play caller; is that correct?

11 A Yes. The play caller would be the one that is kind of
12 owning the operations on the floor. You will have situations
13 where you have keyholders or supervisors, multiple schedules,
14 or maybe the manager's there, too, but the play caller is the
15 one who's kind of taken on the current play that we're in, and
16 breaks, and kind of running the shift, if you will.

17 Q Okay. Yeah. So that leads to my next question. Like,
18 what -- what's the difference between a keyholder and a play
19 caller?

20 A All -- all player -- play callers hold keys. Not all
21 keyholders may be the play caller in a given moment.

22 Q Okay. So as I understand it, say, for example, a shift
23 supervisor could be on duty and they are a keyholder in their
24 role as a shift supervisor, but they may not be the play
25 caller?

1 A They may not be the one taking on that responsibility in
2 the store at that time.

3 Q Okay. You discussed going in and visiting the stores, and
4 occasionally you'll work the floor. Do you ever fulfill the
5 role of play caller when you do that?

6 A I haven't done that. The only circumstance where I would
7 do that as if there wasn't a supervisor available. That hasn't
8 been something that I've had -- that I've had to support.

9 Q Okay. You mentioned a scorecard for each store. That you
10 share the results of the scorecard weekly with store managers.
11 The store -- does Starbucks have scorecards for every store or
12 is that unique to your district?

13 A That's unique to my district. And just to clarify, the
14 store managers complete their scorecards.

15 Q Okay. You also touched on having a scheduling-related
16 goal at the district level, providing consistent schedules for
17 partners. Who sets the schedule for -- in the -- I'm sorry.
18 Who sets the schedule in the individual stores?

19 A It's who writes the schedule?

20 Q Yes.

21 A That would be the store manager and the assistant manager
22 at times.

23 Q Okay. You discussed that shift supervisors and baristas
24 will occasionally reach out to you on some issues. Generally
25 speaking, is the store manager their first point of contact,

1 though?

2 A Yes, the store manager is their first point of contact.

3 And I also am a point of contact so --

4 Q Okay.

5 A -- whoever they feel comfortable with. There aren't
6 conversations where -- there aren't conversa -- like, you
7 would -- there's not a conversation where I would ever say you
8 should be talking to your store manager about this, right,
9 like, they're -- we're -- that's our culture and our
10 connectedness. We'll talk about, you know, the store manager
11 being there more often and -- and having the opportunity to --
12 to support, like, more boots on the ground. But there's not
13 like -- we don't have these, like, hard core -- like, you can't
14 talk to me about this unless you're talking to your store
15 manager first.

16 Q Understood. You -- you still have a chain of command,
17 though, and I imagine that, like, if your 276 employees were
18 bombarding you with stuff, you would have to put a check on
19 that on occasion?

20 A Yeah, I would. I mean, I would be curious if that started
21 happening. And I wouldn't put a check on it. I would be
22 curious to -- to find out what's driving that and -- and what
23 it looks like to help the store and the store managers support
24 having the partners -- have -- have their -- their concerns
25 addressed or the support they need with with -- with -- within

1 the store. But I wouldn't -- I wouldn't say I'd put a check on
2 it.

3 Q Okay. So you had discussed these communication apps. I
4 apologize, my camera just went fuzzy. I'm going to turn it off
5 and turn it back on real quick. Doesn't do a great job of
6 keeping focus. So you had -- we had talked about -- I'm sorry,
7 you had talked about with Mr. Hammond about the different apps
8 that are used in your store, GroupMe, Crew. Do you know if all
9 your stores use some sort of app?

10 A To my knowledge, all my stores are using something for
11 that. I -- I don't -- I couldn't confirm absolutely.

12 Q Do you know which stores use which app?

13 A No.

14 Q Do you participate in the apps that the 37th and Broadway
15 use?

16 A I do not. They'll -- they'll be referenced to me or
17 like -- but I don't participate.

18 Q For the shift marketplace, when did that launch?

19 A February 3rd.

20 Q So it's been into -- in effect almost a month now?

21 A Yeah.

22 Q So Mr. Hammond asked you a -- a series of questions about
23 whether things were the same or different across your district.
24 And I just kind of want to check in with you on a number of
25 these items to see if they are the same in your district

1 because it's a national policy or because it's, you know,
2 Starbucks operating procedures or if it's different because it
3 is unique to your district. So with affinity groups, are those
4 accessible to all Starbucks partners or only partners within
5 your district?

6 A All Starbucks partners.

7 Q The ability for a play caller to flex the play or deviate
8 from the Playbuilder app, is that applicable to all Starbucks
9 stores or only your district?

10 A That's a -- that's a very interesting question. So I
11 would say that -- that I've seen -- just in my experience with
12 working with other district managers, I've seen times that
13 there are district managers that would say, nope, it's
14 nonnegotiable. And then I see district managers that --
15 that -- that have more of the perspective that I have. I've
16 even seen district managers say, well, it -- that -- it's not a
17 good tool. So I --

18 Q Okay.

19 A -- think that what I would -- the best reference that I
20 would say is that in -- in -- in our field operations guide for
21 success for a supervisor, it says put themselves in the best
22 position to ensure the partner and customer experience. That
23 would be the broad national perspective on it. And then I
24 think, my perspective on it is unique, although shared with
25 others, if that makes sense.

1 Q No, it does make sense. Thank you.

2 A You got it.

3 Q Yeah. We have talked or you had talked about the duties
4 and skills expectations for baristas and that they're the same
5 across your district with the exception of drive thrus.

6 Generally speaking, are the duties, and skills, and
7 expectations of baristas the same across the company, not just
8 your district?

9 A I'd say yes.

10 Q And what about for shift supervisors, are they generally
11 the same across the company, not just your district?

12 A Yes.

13 Q Are the store managers -- do they have the same duties and
14 expectations across the company?

15 A Yes.

16 Q It's not limited to your district?

17 A No.

18 Q Do you have any unique products served in your store?

19 A No.

20 Q So it's standard Starbucks products that are seen across
21 the company?

22 A Yeah.

23 Q Same with equipment?

24 A Yeah.

25 Q The benefits provided by Starbucks to employees, are those

1 the same companywide?

2 A Yes.

3 Q The policies are the same?

4 A Yes.

5 Q Promotional opportunities, are those the same across the
6 com -- company?

7 A Yeah, I think they're -- I think they're the same. I also
8 would say that -- that we are unique in the way that we
9 approach promotional opportunities and development
10 opportunities.

11 Q Okay. I think I just have a few more questions for you
12 here. Jacob Fullerton's testimony on -- what was it, last
13 Friday, discussed that 37th and Broadway was recently converted
14 to a military family store?

15 A Yeah.

16 Q What's a military family store?

17 A Military family store is a designation we give a store as
18 a part of honoring the members of the community who are
19 affiliated with the military in some way. And also is -- is
20 kind of like, in honoring the partners that are at the store
21 that are also affiliated with the military in some way.

22 Q And you have 37th and Broadway as a military family store
23 because it's close to the Everett Naval Base?

24 A Yep. It's close to Everett Naval Base. We have three
25 partners that -- who are currently affiliated with -- with the

1 military in some way. And then we also have a lot of our
2 customer base is affiliated with the military. In addition to
3 that, we know that in the future they are expanding the Everett
4 Naval Station and will have a -- significantly more sailors
5 reporting to that station. Starbucks also, just one of
6 Starbucks pillars in terms of -- of -- of our community support
7 is to support and honor veterans. It's within one of the areas
8 that we are focused on.

9 Q Is 37th and Broadway your only military family store in
10 your district?

11 A It is.

12 Q I'm going to show you a couple exhibits here. First, we
13 will start with exhibit -- can you see it?

14 A Yes.

15 Q So this is Petitioner Exhibit 4, which the parties
16 stipulated to as far as admission.

17 A Um-hum.

18 Q What's the Scoop?

19 A The Scoop is just -- it's -- I don't know that Starbucks
20 still refers to updates, but sometimes when there's an update
21 or when there's something new that's coming, Starbucks will
22 create resources for it. And we'll call it the Scoop, kind of
23 like a news article or updated information.

24 Q Okay. And this one is addressing the military family
25 store. And so this just discusses what -- I mean, the language

1 here, what makes a military family story unique and describes
2 some of the aspects of the military family store?

3 A Yes.

4 Q I'm now showing you what the parties stipulated to
5 admission as far as Petitioner Exhibit 3.

6 A Um-hum.

7 Q Have you seen this before?

8 A Yes.

9 Q So -- MFS, I'm assuming that's military family store Hub
10 dashboard?

11 A Yep.

12 Q So is that -- am I safe in assuming that 37th and Broadway
13 has unique access to this dashboard?

14 A No, everyone has access to that dashboard.

15 Q Okay. Can you explain what -- what I'm looking at here or
16 what we're all looking at?

17 A Yeah. That's just showing -- that's just showing the
18 current status of military family stores in the U.S. and how
19 many we have.

20 Q And looking down here -- sorry. Go ahead.

21 A I --

22 Q Zoom in as well.

23 A I said, I believe.

24 Q Does that help?

25 A Yeah.

1 Q Know if that opens it up any better for you, but. So
2 looking down at near the bottom here, active military family
3 stores in the Pacific Northwest, it shows nine. Do you know if
4 that's still accurate?

5 A I don't know whether this is accurate or not. So sorry --

6 Q Okay.

7 A -- about that.

8 Q No, that's fine. Stop sharing for that one. And then
9 just lastly, we're taking a look at what the parties stipulated
10 to admission, that's called Petitioner Exhibit 2. Have you
11 seen this document before? And I can scroll --

12 A Yeah.

13 Q -- through the pages.

14 A Yes.

15 Q So new store opening and renovation addendum, am I safe in
16 assuming that this is going through the new store and
17 describing the aspects of a military family store?

18 A Yes.

19 Q Is there anything you'd like to add to that?

20 A I don't think so, no.

21 Q Okay. Stop sharing.

22 MR. WHITE: No further questions, Madam Hearing Officer.

23 HEARING OFFICER FLORIANI: Any redirect, Mr. Hammond?

24 MR. HAMMOND: I don't have any redirect. Thank you.

25 HEARING OFFICER FLORIANI: Thank you, Mr. Callahan.

1 You're excused. And while we're on a semi-break from
2 testimony, I just want to make clear for the record, the
3 parties in it -- in Board Exhibit 2 did stipulate to the
4 relevance and admissibility of a number of documents. I'm just
5 going to make them clear for the record that I am receiving
6 these evi -- into evidence.

7 Employer Exhibit 15 is a file titled Store List Seattle.
8 Employer Exhibit 16 is a file titled Aggregated Data A9 FY2019.
9 Employer Exhibit 17 is a file titled Aggregated Data A9 FY2020.
10 Employer Exhibit 18 is a file titled "aggregated data, A9
11 FY2021". Employer Exhibit 19 is a file titled "aggregated
12 data, A9 FY2022". Employer Exhibit 20 is a file titled
13 "partner lookup, Seattle".

14 In addition, the Employer -- the Employer and Petitioner
15 have agreed to the admissibility of the following, as well:
16 Employer's Exhibit 21, which is the CV for Hossein Borhani;
17 Petitioner's Exhibit 2, "military family stores, new store
18 opening, and renovation guide addendum"; Petitioner's 3,
19 "military family store, the hub"; Petitioner's 4, "military
20 family stores, the scoop"; Petitioner's 5, interview notes by
21 store number 8740"; Petitioner's Exhibit 6, "maps";
22 Petitioners Exhibit 7, a file titled "store 8740, six-month
23 excerpt of aggregate data, 2021/07/16 to 2022/01/16".

24 Thank you. Just to make clear, these are all received
25 into evidence.

1 (Employer Exhibit Numbers 15 through 21 Received into Evidence)

2 (Petitioner Exhibit Numbers 2 through 7 Received into Evidence)

3 HEARING OFFICER FIORIANTI: Now, Mr. Hammond, do you have
4 any additional witnesses?

5 MR. HAMMOND: We do have an additional witness. It's
6 going to be our expert. But we were anticipating that cross
7 may go a little bit longer, so we may need some time to try to
8 connect with that person.

9 MS. DIECKMAN: Just --

10 HEARING OFFICER FIORIANTI: Okay. Off the record, please.

11 (Off the record at 10:16 a.m.)

12 THE COURT REPORTER: And we're on the record.

13 HEARING OFFICER FIORIANTI: Okay. I understand the
14 Employer has its next witness.

15 MR. HAMMOND: Yes, the Employer calls Dr. Hossein Borhani.

16 HEARING OFFICER FIORIANTI: And Dr. Borhani, could you
17 please raise your right hand?

18 Whereupon,

19 **HOSSEIN BORHANI**

20 having been duly sworn, was called as a witness herein and was
21 examined and testified, telephonically as follows:

22 HEARING OFFICER FIORIANTI: Thank you.

23 DIRECT EXAMINATION

24 Q BY MS. DIECKMAN: Good morning, Dr. Borhani.

25 A Good morning.

1 Q Happy Monday.

2 A Thank you.

3 Q I am going to show you an exhibit that has been previously
4 marked and accepted -- admitted into the record as Employee
5 Exhibit -- as Employer Exhibit 21. Do you recognize this
6 document, sir?

7 A Yes, it is my CV.

8 Q And I'm going to scroll through all six pages quickly, but
9 I won't linger. Does this look like a complete and accurate
10 representation of your CV and your qualifications as a labor
11 economist?

12 A Yes.

13 MS. DIECKMAN: Thank you.

14 I'd ask that the reader of the record take notice of Dr.
15 Borhani's qualifications as an expert in the field of labor
16 economy. I understand that the Hearing Officer will not rule
17 on that at this time.

18 Q BY MS. DIECKMAN: Now, Dr. Borhani, I'm going to show you
19 what's been marked as Employer Exhibit 23. Are you familiar
20 with this document?

21 A Yes, I am.

22 Q What does it -- what is this four-page document related
23 to?

24 A So this four-page document deals with the tenure for
25 partners who are in store -- their home store is one of these

1 stores that are displayed in this graph.

2 Q And are these stores that are displayed at the bottom of
3 our bar graph here the -- the stores that are in district --
4 are -- are in the district containing -- or they're in district
5 125 of Starbucks?

6 A Correct.

7 Q Okay, and did you base your analysis on -- in this matter
8 on documents that have been -- that have been pre -- previously
9 admitted in this case, but a store list, Seattle, the partner
10 lookup, Seattle, and the aggregated data for area 9, spanning
11 fiscal years 2019, 2020, 2021, and 2022?

12 A Correct.

13 Q Thank you. Specifically, store 8740, which has been
14 marked with an asterisk down here, what does this bar graph
15 show?

16 A That shows the bar graph for petitioned store, 8740. And
17 essentially, it shows that active home store partners share of
18 have all of the shifts in that store.

19 Q So does it show that, of the shifts completed in this time
20 span of April 29, 2019 through January 16, 2022, approximately
21 45 percent of shifts in store 8740 were completed by active
22 home store partners?

23 A Correct, and the remaining shifts were completed by -- by
24 those who were not active in that store.

25 Q Thank you. And is it -- based on this bar graph, does it

1 appear that 80 -- that store 8740's shifts worked by active
2 home store partners is relatively average for the -- for the
3 district that it sits in?

4 A Yes, about average. There are some outliers in this
5 graph. For example, store 393 is showing a very large
6 percentage for active stores. But -- but the issue with that
7 store is that that store was closed or shut down during the
8 COVID, and -- and only in very late 2021, they started
9 operating again. So there is very small number of data points
10 for 393, and that's why you see a very outlier situation for
11 393. But -- but to go back to your question, yes, 8740 is
12 about average.

13 Q Thank you. And I'm going to ask you then, also, about
14 store 3259, which also appears to be a bit of an outlier. Do
15 we know why that store also --

16 A Same -- same situation with 393. Both of those stores,
17 they shut down during the -- so during 2019, 2020, and very
18 large portion of 2021, they were shut down and they were not
19 operating. So we only have very few data points for those two
20 stores.

21 Q Okay, thank you.

22 A Um-hum.

23 Q What does slide 2 of this show?

24 A Now, this one, again, we are talking about active --
25 the -- the blue part is talking about the active home store

1 partners. And it shows those partners who are currently --
2 their home store is the given store that we are displaying in
3 the chart compared to those other partners who have been in
4 that store, and -- and that store was their home store. But
5 they have either been terminated, or they have moved or
6 transferred to another store. So --

7 Q So --

8 A Go ahead.

9 Q Oh, I was just going to say -- so as it relates to store
10 8740, it looks like 30 partners or approximately 35 percent --
11 36 percent, somewhere in there -- of partners who are
12 currently -- or partners who completed shifts at that store
13 during the relevant period, so April 2019 through January 2022,
14 are still active partners there, correct?

15 A So yes, among -- among those whose home store was 8740, 30
16 or about 35 percent. If you go to that store today, only
17 you're going to find those 30 whose home store is that store.
18 The -- the remaining people whose home store was 8740, they
19 have either been transferred to another store, so no
20 longer -- their home store is not 8740, or they have been
21 terminated.

22 Q Okay, and it looks like -- sorry.

23 MS. DIECKMAN: Strike that.

24 Q BY MS. DIECKMAN: Is the -- is the ratio of active store
25 partners to former active store partners for store 8740 fairly

1 representative of district 125 in this slide, as well?

2 A Yes, I mean, 8740 and 3392, they are about the same.

3 There is only one, 22817, is -- which seems to be a little bit
4 lower. But on average, yes, it is kind of representative.

5 Q And again, like in the first slide, store 393 and 3259
6 appear to be outliers. Is that also because they were closed
7 for most of the COVID period?

8 A Yes.

9 Q Thank you. What to slide 3 here show?

10 A So this one shows average tenure by -- again, for each
11 store. Again, we are talking about active partners. So 8740,
12 it shows average tenure of 30.6 month.

13 Q Okay, and that looks like it's on the lower side of
14 average, again, for the district, as represented here?

15 A Yes. Again, 3259, it's kind of like outlier, so I don't
16 know whether that's really representative. 11157 is a little
17 bit lower than 8740, but the rest of the stores are higher.

18 Q Okay, and then on this fourth slide, what does this show?

19 A The purpose of this one is -- essentially, it's the same
20 as a previous slide. We are trying to measure what the average
21 tenure is. The problem with average is that if -- if we have
22 only one or two people with very high tenure, that would --
23 those two people would be driving the average high. And the
24 purpose of looking at the median is to get rid of the outlier
25 effect. And when -- when we get rid of the outlier effect, now

1 we see that 8740 is actually -- is -- number of months of
2 tenure is only nine -- nine months.

3 MS. DIECKMAN: Okay. Madam Hearing Officer, I'd like to
4 ask that Employer Exhibit 23 be admitted into the record.

5 HEARING OFFICER FIORIANTI: Mr. White, any objection?

6 MR. WHITE: No objections.

7 HEARING OFFICER FIORIANTI: Okay. Employers Exhibit 23 is
8 received.

9 **(Employer Exhibit Number 23 Received into Evidence)**

10 MS. DIECKMAN: I'm now showing the witness an exhibit
11 that's been marked as Employer Exhibit 24.

12 Q BY MS. DIECKMAN: Dr. Borhani, this is a 63-page PDF that
13 I'll scroll through quickly. Can you identify this document?

14 A Yes, this is a series of pie charts, and -- and bar
15 graphs, and some maps, based on the data for district 125.

16 Q Okay, and I'm going to quickly walk you through the first
17 sev -- several slides. But I understand that the first several
18 slides are then repeated for several sensitivity checks. And
19 rather than going through each sensitivity check, specifically,
20 I'll ask you what -- what each sensitivity check is and whether
21 it shows, you know -- whether it shows, the data shows,
22 information consistent with your findings as it relates to the
23 first several slides. Is that okay?

24 A Sure.

25 Q Okay, so what is slide 1?

1 A So slide 1 essentially -- we go through all of those
2 partners who have worked in all of these stores in district
3 125. And -- and essentially, we are asking them question, how
4 many stores have you worked during your time period, and the
5 time period being April 29, 2019 to January 16, 2022. So we
6 are asking them, how many stores have you worked during this
7 time period, you know, ever. And so pie chart shows the
8 proportion of people who said only one store, or two store, or
9 three store, and -- and more. So in this pie chart, we are
10 seeing that 60.4 percent of the partners are saying that they
11 only worked in one store.

12 Q And then about 39.6 percent of partners say they worked in
13 more than one store?

14 A That's correct.

15 Q What does slide 2 show?

16 A Now, slide 2 is similar to slide 1, with one exception,
17 that now we are only focusing on petitioned store, 8740. So
18 again, we are asking for all of the partners who have ever
19 worked on 8740, how many stores you have worked. And this is
20 the result. Only 38.2 percent say -- say only in this store,
21 8740. And the rest of the population, about 62, 61 percent,
22 they say that they work for more than one store.

23 Q Okay. What about slide 3? What does slide 3 show?

24 A So slide 3 is we are asking the question, if you ever
25 worked in the store, we're going to be showing you with the

1 blue bar if this is your home store. So these are partners who
2 are working in each store. So if you have only worked in --
3 in -- in given store, then we're going to paint you -- paint
4 that portion in blue. If you worked in this store but another
5 store also -- so you can only work in this -- in this as home
6 store. But you only worked -- I'm sorry. You worked in this
7 store and also another store, so that part is the orange. The
8 gray part is those people whose home store is not this store,
9 but they have worked in this store.

10 So essentially, gray part is showing you the -- those
11 partners who are being borrowed by each store. So in graph
12 87 -- in bar 8740, which is the petitioned store, we are seeing
13 that close to 40 percent are -- only have worked in that store.
14 The -- about 22 percent have worked in that store as home
15 store, but in some other store, also. And the remaining, which
16 is about 38 percent, is the number of partners that this store
17 is -- essentially is borrowing to get the job done in -- in --
18 in the store.

19 Q And is the -- and is -- is the distribution here store
20 8740 fairly representative of what you're seeing for other
21 stores and district 125?

22 A It's -- it's fairly representative, yes.

23 Q Though I will point out it looks like we have two outliers
24 again at store 393 and 3259?

25 A Correct, those are the two outliers again.

1 Q And do you have any understanding as to why those two
2 stores are outliers, or?

3 A I'm sorry. Are -- are you talking about 393 and 3259?

4 Q Yes.

5 A Yes, those are the two stores that -- they were closed
6 most of the -- they were closed 2019, 2020, and major part of
7 2021.

8 Q Understood, thank you. I'm now showing you slide 4 of
9 this gra -- of your report. What does slide 4 show?

10 A So this one essentially asks -- maybe we are asking the
11 store manager, how many days you are -- really need to get at
12 least one borrowed partner in order to maintain your operation.
13 So this shows the percent of days that, you know, that manager
14 is saying that, during this time period, we had a need to
15 borrow at least one partner from another store.

16 Q And what does it show as it relates to store 8740?

17 A Store 8740 shows that about 20 -- actually, yeah, 25
18 percent of days that they operated, they needed to use a
19 borrowed partner from another store. And -- and compared to
20 average, which is represented by the dotted line, which is
21 about 13 or 14 percent, so they are above average.

22 Q Oh, I want to -- I just want to point you to the footnote,
23 the -- what -- what percentage does the -- does the dotted line
24 show?

25 A Oh, thank you, yes. The dotted line shows the average for

1 all of the stores for 12.4, so 8740 is above that.

2 Q Understood, thank you. What does slide 5 show?

3 A So this one essentially goes back to the, you know -- if
4 someone raised a question that, oh, maybe there is only one day
5 in the week that they really need to borrow partners, and other
6 days, they don't really need that. And this essentially goes
7 through the whole time period and puts all of the Sundays
8 together, Mondays together, Tuesdays together. And so we are
9 essentially recalculating the average percent of part --
10 partners borrowed by day of the week. And we see that there is
11 a dip on Monday, and slighter dip on Tuesday. But -- but other
12 days are, you know, very close to overall average, which is 1.5
13 percent.

14 Q So to summarize, does this show the -- the borrowings
15 happening over the course of the week consistently?

16 A Correct, it is happening in all days. Like I said, Monday
17 is a little bit less, but overall, it's happening in all days.

18 Q Thank you. What does -- sorry. What does slide 6 show?

19 A Slide 6 essentially is -- is similar to previous slide.
20 You're looking at the day of the week. Now, the same question
21 might be asked that, well, maybe during, you know, some season
22 or -- or some months, there is a need for borrowing, but
23 otherwise, there is no need. And this one essentially takes
24 the data for the whole time period and accumulates each day
25 across the years. And we can see that the borrowing

1 essentially is happening throughout the year. There is a
2 slight bump in March, and April, and part of June -- I'm sorry,
3 May -- and that could be due to COVID. But and also, there is
4 a bump around Christmas time, New Year's Eve, close to that
5 time period; there's a bump there. But skipping those two time
6 periods, it looks like the borrowing is going on all throughout
7 the year.

8 Q So then just to summarize again, this slide 6 just shows
9 that borrowing is happening consistently over the course of the
10 year?

11 A Correct.

12 Q With a couple of outliers?

13 A Exactly.

14 Q Okay. I'm now showing you slide 7; what does slide 7
15 show?

16 A So slide is essentially is giving you a geographical kind
17 of perspective on these stores in district 125. And the lines
18 between each store is represented by a circle and the store
19 number is in the circle. The petitioning store is colored red,
20 the circle is red. And essentially the lines from each circle
21 to another circle, in other words, from one store to another
22 store, represents the -- the interchange or -- or borrowing and
23 lending of the partners between those stores. And the
24 thickness of the line essentially will indicate the -- whether
25 it's heavy interchange or -- or less interchange.

1 Q Thank you. What does slide 8 show?

2 A So the previous slide was essentially was showing the --
3 all of the interchange. This one only focuses on the partners
4 who are being lent from Petitioner's store to other stores.

5 Q And does it show that store 8740 lent partners to every
6 store in district 125?

7 A Yes. I'm -- I just want to make sure that these, I mean,
8 393 and 3259, I don't know.

9 Q Okay.

10 A I mean, because they are outliers, I mean --

11 Q Well, I apologize.

12 A -- I don't see. Yeah, I don't --

13 Q I'm sorry, I didn't --

14 A -- see a line.

15 Q I'm sorry, I didn't see them in the bottom corner here.

16 So does it show that -- that store 8740 lent partners to every
17 store except for --

18 A Yes.

19 Q -- 393 and 8259?

20 A Correct.

21 Q Thank you. And what about slide 9, what does slide 9
22 show?

23 A So this -- this is the other side of the coin. So we --
24 we are now saying we are only showing the lines which are going
25 from a store to the Petitioner's store. In other words, all of

1 the borrowing that's going on by Petitioner's store from other
2 stores. I mean, it looks like it by the thickness of the lines
3 there is a heavy borrowing going on between 9733 and 22817.
4 But if you look at the Petitioner's store, it looks like it's
5 borrowing majority of their, you know, borrowed partners from
6 these stores on the top of the -- top of the map. But there
7 are borrowing going on from 3392 and -- and I think there is a
8 line for 14124.

9 Q Yeah. It looks like it's a dark purple, but it's hard to
10 see.

11 A Yes.

12 Q I just -- okay. And then when we hit slide 10, this is
13 the beginning of your sensitivity checks. And I just want to
14 reflect -- the record to reflect that slides 10, 11, 12, 13,
15 14, 15, 16, 17 and 18 all correlate to slides 1 through 9 but
16 relate to this first sensitivity check, correct?

17 A That's correct.

18 Q And what does this first sensitivity check show?

19 A So in this one, essentially going back to question on if
20 someone has said that, oh, maybe all of these interchange that
21 you are seeing is because of the COVID, because this happened
22 then and stores had to do this borrowing or lending during the
23 COVID period.

24 So in this set of stores, essentially, we are saying that,
25 okay, fine, let's -- let's just take all of the time period --

1 all of the data for the time period from end of March 2020
2 forward out and only focus on pre-COVID time period, which is
3 March and earlier -- March 2019 and earlier.

4 Q You mean April 29, 2019 through February 29th, 2020?

5 A Correct.

6 Q Thank you. Okay. So then I'm going to skip ahead here to
7 slide 19, which I believe is the beginning of the second
8 sensitivity checks -- check. And I'd like the record to
9 reflect that slides 19, 20, 21, 22, 23, 24, 25, 26, 27 all
10 relate to -- all correlate to slides 1 through 9 again,
11 correct?

12 A Correct.

13 Q I apologize. As it relates to your first sensitivity
14 check, did the data show interchange even though you had --
15 you've restrained for the pre-COVID period?

16 A Correct. So when -- when we do that resection, which is
17 kind of like very drastic resection, we are -- because we are
18 limiting our time by a lot, we are only -- we are throwing out
19 a lot of data and -- but -- but we are only looking at the pre-
20 COVID time period, but we still see the interchange between
21 stores.

22 Q Thank you. And what does the sense -- second sensitivity
23 check show?

24 A So the second sensitivity show -- sorry, the second
25 sensitivity test is trying to answer the question, what about

1 opened or closed stores during that -- this time period. If,
2 you know -- if -- if a -- if a store closed during this time
3 period or open, they -- they might be essentially driving
4 this -- these interchange.

5 So in this sense, we can say -- we say that, okay, fine,
6 let's just exclude any store which had any -- which had either
7 opening or closing during the time period.

8 Q And does the second sensitivity check still show borrowing
9 across the district across the time period?

10 A Correct. So when -- when we go through all of these set
11 of charts in this area and we see that there's still
12 interchanges going on.

13 Q I'm now going to show you slides 28, 29, 30, 31, 32, 33,
14 34, 35, and 36. And again, do these correlate to slides 1
15 through 9?

16 A Correct.

17 Q And what does this show?

18 A So -- so this sensitivity essentially is saying that if --
19 if a person is moving from one home store to another home
20 store, so they are -- essentially, they are transferring. If
21 we keep their pre- or post-transfer data, essentially, we might
22 be biasing the results because, you know, some people might be
23 doing some store shopping before they actually transfer. So
24 they might be going and working in some other store because
25 they know that eventually they're going to be transferring.

1 So in this set of slides, we are saying that, okay, if
2 you -- if you are in this home store and you have been
3 transferred to this home store, we're going to exclude your --
4 your pre-transfer shifts. The same thing, you know, if you --
5 if you transfer to another store.

6 So once we take all of that data out, essentially, we are
7 trying to get rid of those borrowing and lending that -- they
8 might appear to be borrowing and lending, but it could be that
9 because the person actually is kind of like trying another
10 store to see how that -- that feels before they actually
11 transfer.

12 Q And then isn't it true that also these slides reflect the
13 sensitivity check also addresses post-transfer shifts where
14 someone might have already been scheduled for a shift at their
15 old store or whatever? It also -- it also restricts those?

16 A Correct

17 Q And does this sensitivity check also show transferring
18 across the district across the time period?

19 A Again, yes. Essentially, we are seeing the same pattern
20 as the -- the first set of slides that we looked at.

21 Q Okay. So slides 37, 38, 39, 40, 41, 42, 43, 44, and 45,
22 do those all correlate, again, to slides 1 through 9?

23 A Correct.

24 Q And what do you -- what is this sensitivity check for?

25 A So this one is saying that maybe the previous sensitivity

1 check that we did, we excluded the pre- or post-transfer shift,
2 maybe that's not enough. So in this one we say that, okay, if
3 you have transferred, we're going to -- we're not going to keep
4 you in the analysis. We are going to only look at those
5 partners who during this time period only had one single home
6 store. So it's more drastic exclusion of the data compared to
7 previous set of slides.

8 But again, when -- if we go through the slides or -- or
9 charts, we will see that their -- the interchange still happens
10 and the pattern stays the same despite this restriction.

11 Q Okay. So that I'm going to show you slide -- slides 46,
12 47, 48, 49, 50, 51, 52, 53, and 54. And do those slides also
13 correlate to slides 1 through 9?

14 A Correct.

15 Q And so what is this sensitivity check?

16 A So this one we are calling version one of cumulative
17 restriction. So this one is saying that, okay, in the previous
18 sensitivity analysis we -- in each set, we did one exclusion.
19 In this one is a lot more drastically we're going to do it all
20 of those restrictions together simultaneously with one
21 exception. So essentially, we have two versions here, version
22 A and version B. In version A that we are looking at right
23 now, we are limiting the time period to pre-COVID. We are also
24 excluding opening and closing of the stores, the stores that
25 closed or opened during that time period. And we are also

1 excluding pre- or post-transfer shifts.

2 So all three of these restrictions are applied at the same
3 time. And then that essentially creates version 1 of committed
4 restriction.

5 Q And does it show the same pattern of interchange over the
6 time period and between stores within District 125?

7 A Correct.

8 Q And then slides 55, 56, 57, 58, 59, 60, 61, 62, and 63,
9 those, again, correlate to slides 1 through 9?

10 A Correct.

11 Q And what do -- what is this sensitivity check?

12 A So this one we are calling it cumulative resection version
13 B. In this one -- the only difference between this and the
14 previous version, version A, is that in version A the third
15 restriction was -- you know, we were excluding the pre- and
16 post-transfer shifts. In this one, we are actually removing
17 any partner who has transferred, so it's more restrictive
18 again.

19 But -- but the other two restrictions are still in place.
20 In other words, we are limiting to pre-COVID and -- pre-COVID
21 time period and also exclude the closed and open stores.

22 Q Okay. And does this show the same pattern, which is that
23 there's interchange across the district and across the time
24 period?

25 A Yes. The pattern of interchange essentially stays the

1 same. We see interchanges between stores.

2 Q And for this Employer Exhibit 24, did you also utilize the
3 documents that were the partner look up, the store list
4 Seattle, the aggregated data for Area 9 for years 2019, 2020,
5 2021, and 2022 as the basis for your report?

6 A Correct.

7 MS. DIECKMAN: Madam Hearing Officer, I'd like to ask that
8 Employer Exhibit 24 be admitted to the record.

9 HEARING OFFICER FLORIANI: Any objection, Mr. White?

10 MR. WHITE: No objections.

11 HEARING OFFICER FLORIANI: Employer's Exhibit 24 is
12 received.

13 **(Employer Exhibit Number 24 Received into Evidence)**

14 MS. DIECKMAN: I just need one moment to confirm that I
15 have no additional questions. Can we go off the record?

16 HEARING OFFICER FLORIANI: Off the record.

17 (Off the record at 11:10 a.m.)

18 HEARING OFFICER FLORIANI: Okay. Ms. Deickman?

19 MS. DIECKMAN: Madam Hearing Officer, I have no further
20 questions. But I wanted to confirm with you that it is true
21 that the hearing officer will make a determination as to
22 whether or not Dr. Borhani qualifies as an expert upon reading
23 the record, correct?

24 HEARING OFFICER FLORIANI: The -- the reader of the
25 record.

1 MS. DIECKMAN: Okay.

2 HEARING OFFICER FLORIANI: Yes.

3 MS. DIECKMAN: Thank you.

4 HEARING OFFICER FLORIANI: Okay.

5 Mr. White, do you have any cross for this witness?

6 MR. WHITE: I do.

7 HEARING OFFICER FLORIANI: Okay. Proceed.

8 **CROSS-EXAMINATION**

9 Q BY MR. WHITE: Good morning, Dr. Borhani. My name is
10 Michael White. I'm an attorney with the Union. I understand
11 that you --

12 A Good morning.

13 Q -- may -- you may have testified in the Beaverton and
14 Portland case last week; is that correct?

15 A Correct.

16 Q I wasn't able to attend your testimony. However, I
17 represented the Union when your colleague Matthew Thompson has
18 testified. I understand that the data that comes out in your
19 analysis is different. But ultimately for both -- well, let's
20 start with Employer Exhibit 23. Is your analysis for Employer
21 Exhibit 23 any different than what Matthew Thompson's analysis
22 would be?

23 A The analysis are essentially the same.

24 Q And is that the same case for Employer Exhibit 24?

25 A Can you tell me what --



1 Q Sure. Sure. Sorry about that. Is Matthew Thompson's
2 analysis of interchange data -- or I'm sorry -- is your
3 analysis of interchange data the same as Matthew Thompson's
4 analysis in previous cases?

5 A It is.

6 Q Share my screen with you and go back to your exhibits
7 here. So we're back looking at Employer Exhibit 23; can you
8 see that okay?

9 A Yes, I can see that.

10 Q So first, I -- I want to confirm your time frame goes back
11 to April, 29th, 2019, correct?

12 A Correct.

13 Q And you also included stores 393 and 3259 in this
14 analysis, correct?

15 A Correct.

16 Q We've had previous testimony that these two stores, store
17 393 and 3259, joined the district in October of 2021; were you
18 aware of that?

19 A All -- all I see in the data is that the -- the data for
20 these two stores starts sometimes late in 2021.

21 Q So you took that into account at the stores have data for
22 the -- this district starting only in 2021?

23 A Correct.

24 Q So in Employer's Exhibit 1, it had a list of stores and
25 their opening dates. I can actually pull that up. I have it

1 open here. So if we're looking at the store in question, I've
2 highlighted row 2, store number 8740 at 37th and Broadway, and
3 it has the store opening date on December 13th, 2004; can you
4 see that okay?

5 A I see it, yes.

6 Q Okay. So if -- if -- so I'm going to close this out. So
7 going back to the first page of Employer Exhibit 23. So please
8 tell me if my understanding of this is correct. If an employee
9 that started on December 13th, 2004 in store 8740 worked in
10 that store until January 1, 2022, they would show up in the
11 orange bar indicating that they were a former employee?

12 A Please repeat that question.

13 Q Sure. So if an employee had a lengthy tenure with
14 Starbucks, started with store 8740 when it opened but resigned
15 or retired just 15 days before the close of your time frame,
16 they would show up in the orange bar; is that correct?

17 A Correct. This is -- the blue bar shows only those people
18 who are currently active.

19 Q Okay. I'm going to close out Employer Exhibit 23. And
20 we'll take a look at Employer Exhibit 24. One thing I've
21 noticed in your report or charts is that you included the word
22 intra in intra district 125. Am I correct in understanding
23 that you are only looking at data of interchange between
24 employees within the district?

25 A That's correct.

1 Q And so looking at page 1 here, I want to confirm that what
2 this would show is if an employee worked at least one shift in
3 more than one store over roughly 31 months, that would result
4 in placing them in a different category other than 1 such as
5 the two-store category?

6 A That's correct. The blue category will have all of the --
7 that person who is included in -- a person included in blue
8 category only if they have worked in only one store.

9 Q And likewise, in the orange category for 2 it would just
10 require an employee to work a single shift in a store -- in
11 another store in roughly 31 months for them to end up in the
12 two category?

13 A Correct. If -- you know, as long as they are showing up
14 in two different stores, then they're -- they're going to show
15 up in orange. But -- but if only one shift was worked in
16 another store, they're going to move to the third category.

17 Q And that applies to all of the pie charts with the rel --
18 with a relative time frame for that pie chart?

19 A Correct.

20 Q So I'm now on page 3. And it -- page 3 breaks down each
21 store into three categories people that worked in the store.
22 As I understand this, blue would be a partner that has only
23 ever worked in their home store. Orange is a partner whose
24 home store is that bar, but they've also worked in other
25 stores. And then gray is they have a different home store but

1 have worked in the respective store; is that accurate?

2 A That's actually.

3 Q So again, over this time frame of roughly 31 months, if an
4 employee with a different home store than the respective store
5 worked in the respective store that would show up in the gray
6 bar?

7 A I'm sorry. Would you repeat that?

8 Q Sure. So if I'm an employee that works in store 9733,
9 that's my home store.

10 A Okay.

11 Q And I work a single shift in 31 months, roughly, at store
12 8740, that is going to put me in the gray bar for store 8740;
13 is that correct?

14 A No. You will show up in orange.

15 Q Okay. You would show up in orange for store 9733,
16 correct?

17 A Correct.

18 Q Do you show up in gray for store 8740 then?

19 A Correct. Because that's not your home store.

20 Q Okay. So again, just to recap. If I -- if my home store
21 is 9733, and I work a single shift at store 8740 in 31 months,
22 I'm going to show up in the gray bar for store 8740?

23 A Yes, that's correct.

24 Q So now looking at page 4, this shows the percentage of
25 days that a store requires a borrowed employee, correct?

1 A Correct.

2 Q So if I'm looking at 8740, is it fair to estimate that as
3 25 percent?

4 A Yes.

5 Q So if there -- so that would equate to roughly one in four
6 days require a borrowed employee at store 8740?

7 A Correct.

8 Q So now there's a number of employees that will work in a
9 store every day. And so if we said that there were 12
10 employees, on average, working in store 8740, times four days,
11 so that's 48 different shifts worked over those four days, it
12 would just take one of those 48 shifts to show up in that
13 chart?

14 A That's correct.

15 Q So looking at page 6, I just want to confirm that these
16 are averaged -- this bar graph is averaged out over the entire
17 time frame. So in some cases you would have two entries? Am I
18 doing the math right there? Some would have three entries;
19 some would have four entries, and they'd be averaged out?

20 A I'm sorry. I -- I don't understand what you mean.

21 Q Okay. Let me just and state it differently. So if we
22 take a look at April 1st here, and I'd say that's approximately
23 six percent; is that fair?

24 A That's fair.

25 Q So this would return a result for April 1st -- this would

1 be an average of April 1st, 2020, April 1st, 2021; is that
2 correct?

3 A Correct. Because we -- what we are doing we are -- we are
4 essentially putting all of the April 1 for -- during this time
5 period together.

6 Q And so this bump in March and April, extending in -- a
7 little bit into May and June, that seems to align with the
8 COVID -- the pandemic shutdowns; is that correct?

9 A That's -- that's accurate.

10 Q Okay. Let's turn to page 9. So here store 9733 has a
11 comparatively larger line than other stores; is that fair to
12 say?

13 A So the line is thicker, correct.

14 Q And that would indicate more interchange according to your
15 analysis, correct?

16 A Correct.

17 Q Do you know what type of store store 9733 is?

18 A I don't know what you mean by type of store?

19 Q So Starbucks has different types of stores. I'll
20 represent to you that, under previous testimony, that store
21 9733 is a cafe only store. It doesn't have a drive thru; you
22 only walk into the store.

23 A Okay.

24 Q Did you know that store 9733 is a cafe only store?

25 A I don't have data on the set of data that I received

1 regarding the type of -- of store.

2 Q Do you know if that store shut down during the COVID
3 pandemic?

4 A I don't remember seeing that.

5 Q Did you know that store 8740, the petitioned for store at
6 issue, is a drive thru store?

7 A No, I don't have type of store in my data.

8 Q Do you know whether store 8740 remained open through the
9 pandemic?

10 A I have not -- I have not checked, you know, day by day and
11 I don't recall seeing any large gap in -- in the, you know, in
12 the data but -- but right now, I don't remember.

13 Q Okay. Sorry, I think I prematurely -- bring my screen
14 here, I'm going to go back to that. Can you see the chart
15 again?

16 A Yes.

17 Q So we're on page 10, which is the pre-COVID period. And
18 again, you have your pie chart on page 10 and page 11. And on
19 page 12, with the bar graphs, you did not include stores 393
20 and 3259; do you know why that was?

21 A Because there's no data during that time period for 393 or
22 the other store and I forget the name -- number, 3325 was it?

23 Q 3259.

24 A 3295 (sic).

25 Q So looking at page 19, going back to the opening or

1 closing during the data period, as we saw on Employer Exhibit
2 1, which I can bring up for you here in just a moment, hang on
3 one second. All right, can you again see Employer Exhibit 1?

4 A Yes.

5 Q I can zoom in a little bit to make it easier. So looking
6 at these dates for the store openings, these stores all opened
7 before your time frame and none of the stores closed during
8 your time frame?

9 A Correct.

10 Q So we go back to Employer Exhibit 24 and slides 19 through
11 27. If there are no openings or closing of stores during your
12 time frame, these charts are not going to be any different than
13 charts 1 through 9?

14 A Well, there was actually a store -- store 3319.

15 Q 3319?

16 A Correct. That was -- my understanding is that that was
17 part of 125 but it did close during the time period and -- but
18 we didn't get a data for that -- for that store. All we had
19 for 3319 was the partners that that store had linked to other
20 stores. So in our data, when we are doing the analysis, that
21 data is there but we didn't have the actual data for, you know,
22 home store 3319. So that's why that's not represented in the
23 data.

24 Q So if we go back to page 4, where you're looking at all
25 stores without any of the sensitivity checks, store 3319 is not

1 on this list?

2 A I'm sorry. Which page are you?

3 Q We're -- we're on page 4 going back to the analysis
4 without any of the sensitivity checks.

5 A Right. That -- that -- that data will not have store --
6 store 3319 represented but --

7 Q So you --

8 A Go ahead.

9 Q No. But -- go ahead, go ahead.

10 A But the -- if that store had lent partners to other
11 stores, that lending or -- will be in the data.

12 Q So you counted the interchange going to other stores but
13 you didn't include that store in your analysis I take it?

14 A I didn't have the data to include it.

15 Q Okay. So I just have a couple last questions for you
16 here. I just want to confirm that you did not analyze the
17 shifts worked by borrowed partners in a store as a percentage
18 of total shifts?

19 A Please -- please repeat the question.

20 Q Did you analyze the percentage of borrowed shifts in a
21 store worked by borrowed partners as a total percentage of the
22 shifts worked in a store?

23 A No. I have not done any analysis based on shifts.

24 Q And likewise, you -- did you analyze the percent of hours
25 worked by borrowed partners in a store as a percentage of the

1 total hours worked in a store?

2 A No. I have not analyzed hours.

3 MR. WHITE: Madam Hearing Officer, no further questions.

4 HEARING OFFICER FIORIANTI: Ms. Dieckman, any redirect?

5 MS. DIECKMAN: Just a couple.

6 HEARING OFFICER FIORIANTI: Are you ready to proceed? Oh,
7 okay.

8 MS. DIECKMAN: Yes.

9 HEARING OFFICER FIORIANTI: Sorry, go ahead.

10 **REDIRECT EXAMINATION**

11 Q BY MS. DIECKMAN: Dr. Borhani, as it relates to store
12 3319, you and I exchanged -- you and I spoke about the data for
13 the store being missing and that was the basis for the request
14 that you not include that in your analysis, correct?

15 A That's correct.

16 Q And then as it relates to stores 393 and 3259, you and I
17 also discussed that those two stores temporarily closed due to
18 COVID but did not permanently close as Starbucks defines the
19 term closure, correct?

20 A That's correct.

21 MS. DIECKMAN: No further questions.

22 HEARING OFFICER FIORIANTI: Anything further based on
23 that, Mr. White?

24 MR. WHITE: Nothing further.

25 HEARING OFFICER FIORIANTI: Thank you, Dr. Borhani. You

1 are excused.

2 THE WITNESS: Thank you.

3 HEARING OFFICER FIORIANTI: Okay. Let's go off the
4 record, please.

5 (Off the record at 12:30 p.m.)

6 THE COURT REPORTER: Okay, we're back on the record.

7 HEARING OFFICER FIORIANTI: Okay, thank you. I understand
8 from off-the-record discussions that the Employer doesn't wish
9 to call additional witnesses; is that correct?

10 MS. DIECKMAN: Yes.

11 HEARING OFFICER FIORIANTI: Okay. Mr. White, do you -- I
12 understand you have a witness.

13 MR. WHITE: Yes, I have one more witness.

14 HEARING OFFICER FIORIANTI: You may proceed.

15 MR. WHITE: Madam Hearing Officer, the Petitioner calls
16 Dustin Thomas Bosserman.

17 HEARING OFFICER FIORIANTI: Mr. Bosserman, could you
18 please raise your right hand.

19 Whereupon,

20 **DUSTIN THOMAS BOSSERMAN**

21 having been duly sworn, was called as a witness herein and was
22 examined and testified as follows:

23 HEARING OFFICER FIORIANTI: Thank you.

24 **DIRECT EXAMINATION**

25 Q BY MR. WHITE: Good afternoon, Mr. Bosserman, I understand



1 that you go by Tom; can we all call you Tom?

2 A Yes.

3 Q Great, thank you. Tom, will you please state and spell
4 your name for the record.

5 A D-U-S-T-I-N T-H-O-M-A-S B-O-S-S-E-R-M-A-N.

6 Q And are you alone right now?

7 A I am.

8 Q Do you have any notes or documents in front of you?

9 A I do not.

10 Q Let's start with your background. Who's your current
11 employer?

12 A Starbucks.

13 Q What's your position with Starbucks?

14 A Barista trainer.

15 Q What location do you work at?

16 A 37th and Broadway, Everett, Washington.

17 Q How long have you been working at Starbucks?

18 A Well, approximately 13 years.

19 Q Given your lengthy service, can you give me a summary of
20 your work history with Starbucks?

21 A Sure. I was hired in August, 2004. And I worked about
22 two years at the Monroe drive thru location in Monroe,
23 Washington. Then I transferred to a store in California,
24 Loomis, California, and I was there for six months. Then I
25 transferred to a store in Mill Creek, Washington. I was there

1 for about four months.

2 Then I left the company and worked as a restaurant server
3 for a couple of years. And then when I came back -- then you
4 had the economic downturn at the end of 2008. My restaurant
5 closed, so I went back to Starbucks in Loomis, California, in
6 January of 2009, and I was at that location the majority of the
7 time I was in California. I think I spent six months or so at
8 a store in Auburn, California. And then went back to the store
9 in Loomis, California, where I was until I transferred back
10 to -- or I transferred to 37th and Broadway in Everett,
11 Washington in June of 2019.

12 Q Has 37th and Broadway been your store since then?

13 A Yes.

14 Q Tell me about the process you underwent to transfer into
15 37th and Broadway?

16 A I contacted the store manager of 37th and Broadway by
17 telephone, and told him I would like to transfer there, and he
18 said that, you know, as long as I got the paperwork filled out,
19 that would be fine. And I -- I filled out the transfer
20 paperwork, provided it to my manager at the -- in the Loomis,
21 California store.

22 And it was received by the manager of the 37th and
23 Broadway store. His name is Greg by the way. Just so I'm
24 being complete here. And I -- when I was in Washington, I met
25 him in person, shook his hand, and that was pretty much it.

1 So -- that was the process from my side anyway.

2 Q Can you spell Greg for me?

3 A G-R-E-G. I'm afraid I don't remember his last name.

4 Q That's okay. What's your typical shift at 37th and
5 Broadway?

6 A I usually work opening shifts, or just after opening, so
7 anywhere from 3 a.m. to a 5 a.m. start time. And I work for
8 about 6 to 8 hours.

9 Q What days of the week do you typically work?

10 A I have, historically, I've had open availability. So they
11 would just schedule me pretty much any day they'd like for the
12 week. I would usually have two days off but it was pretty
13 random when those two days would be.

14 Recently, I'm going to say since January, I've had
15 Thursdays off consistently but that's the only thing I can say
16 I have consistently not worked.

17 Q Did you change your availability?

18 A Yes. Yes, I did. I -- I -- I had COVID -- I got it on
19 like Christmas and so I was feeling pretty bad and I thought it
20 probably would be a good idea for when I came back to work if I
21 had a consistent day of the week off so that I could go to like
22 doctor's appointments and things like that.

23 And so I texted my manager and said I -- I would like to
24 have Thursdays off. He mentioned trying to do that in the
25 Starbucks Partners Hours tool and I said I tried, and I just

1 couldn't figure it out. He said he would just do it for me.

2 Q Who was your store manager at that time?

3 A My store is -- and the store manager at that time was Ming
4 Liu. I think you probably have his name for the record but
5 I'll spell it anyway. M-I-N-G L-I-U.

6 Q Thank you. And since you've discussed your availability
7 with Ming, have you had Thursdays consistently off?

8 A Yes, I have.

9 Q On an average day, how many employees, or individuals,
10 work in the store?

11 A I would say something like -- somewhere between 12 and 18.

12 Q What would be the reason for it to vary between 12 to 18?

13 A Well, different days of the week we're busier, so they
14 schedule heavier. And if we know, in advance, that we're going
15 to have some certain channels turned off, you know, then we're
16 going to schedule lighter.

17 Q How does scheduling work in your store?

18 A Ming writes the schedules. If -- if we have an assistant
19 manager, when we have an assistant manager during some part of
20 their tenure there, they'll be writing the schedule as a part
21 of their training process. Right now, Judy is writing the
22 schedules, but usually Ming.

23 Q And who's Judy?

24 A Oh, Judy is our assistant manager right now. I think
25 officially there's another term like store manager in training

1 or something, but we, amongst ourselves, we always just call
2 the assistant managers assistant managers.

3 Q I can't recall if there's previous testimony about Judy.
4 Can you spell her name for me, please?

5 A Yeah, J-U-D-Y T-A-M.

6 Q Thank you. Earlier today your district manager testified
7 to some of the challenges that you face at 37th and Broadway.
8 From your perspective, can you tell me about some of these
9 challenges?

10 A Well, we have a -- a high transient population. We're
11 less -- we're less than half a mile away from the Everett
12 Gospel Mission. So we've had a lot of incidents in the store
13 with restrooms not being utilized appropriately. We have hand
14 blow dryers in the bathroom because if we leave paper towel in
15 the bathroom, people will use it to shower in there so we don't
16 have paper towel available.

17 And the bathrooms themselves are -- are fitted with locks
18 that you have to enter a passcode on to open them. We're not
19 allowed to share that code with customers even if they ask.
20 You have to walk -- we've been instructed to walk to the door,
21 enter the code in such a way that no one can see it, to allow
22 the customers into the restroom.

23 And then we have this system so that if anyone is in the
24 restroom for longer than seven minutes, a light will turn on to
25 inform us, in the register area, that someone has been in there

1 too long. To go do a check, a safety check, for them.

2 And we've had a lot of call -- had to call the police on
3 some dangerous or violent -- we can use the word customer.
4 Starbucks uses the word customer to refer to anyone in the
5 store, whether they're buying anything or not. But anyone in
6 the store -- we have had to call -- so when I say we have to
7 call the -- the police for customers behaving in a disruptive
8 manner, that -- I mean anyone in the store. They didn't need
9 to have purchased anything. We've also had to call paramedics
10 and things like that when no one would answer at the restroom,
11 when people have maybe -- it's hard to say for sure, but maybe
12 had been using substances that -- you know, in the restrooms.

13 Q How does that compare to your previous experience with
14 Starbucks?

15 A I have never at any store I've ever worked at, whether for
16 borrowed coverage or as a home store experienced this level of
17 disruption in the store on a day-to-day basis as a result of
18 incidents with transient individuals.

19 Q You mentioned that you're a barista trainer. How does
20 barista training work in your store?

21 A Well, their -- think of the best way to describe this --
22 a -- a new hire will be assigned a barista trainer. Typically,
23 it's one individual trainer that the new hire will work with
24 the entire time. The training course is about a week long, but
25 sometimes it takes longer than that due to availability issues

1 and coordination. But it's about a weeks' worth of training
2 days, so it's -- seven -- seven-ish days of training.

3 And we're supposed to go over all of the various positions
4 in the store, the drink recipes, terminology, expectations for,
5 you know, dress code, and things like -- all of that's in
6 there. And then also, once the training is complete, the
7 manager is supposed to -- to do a certification process and
8 then the manager can okay. And after the training is complete,
9 then the barista trainer gets a -- it's a \$65 bonus or
10 something for having completed it. The manager can technically
11 submit that request for a bonus at any time, though the company
12 states that they don't have to pay it out until the new hire's
13 been with the company for a minimum length of time. But
14 managers can choose when they want to actually do the payout
15 for that.

16 Q So you said that a single barista trainer typically trains
17 baristas. Is there times that more than one barista trainer
18 will train new baristas?

19 A Recently, that has been happening more than I would like
20 to see. I don't particularly think that it's a -- a good way
21 to train someone, because there's a lot of -- a lot of details
22 and subtleties when you're training someone that it's difficult
23 to communicate to another trainer for handing someone off to
24 them. And there's not a lot of -- there really isn't anything
25 built into our training program to allow us to verbally

1 communicate with another trainer if we're going to be passing
2 someone to them. Usually we don't even see the other trainer.
3 They're just -- the next day, they're with a new person. And
4 so we don't even get to talk to the new trainer about where the
5 areas of difficulty might have been or where they needed to
6 perhaps focus some attention.

7 Yeah -- so yeah. That's -- it is -- it's unusual, but
8 it's been happening a fair amount lately, which makes the whole
9 bonus thing a little tricky to sort out because the system
10 isn't set up to divide a bonus between two people. It's, you
11 know, just -- it's part of your paycheck. It just goes into
12 that. So as a result of that, I've have had negotiations with
13 Ming about who in which case, between me and another barista
14 trainer, would be getting the bonus for this particular
15 partner. And it's something, you know, that he's had to --
16 we've had to sort of just sort out between the two of us.

17 Q To your understanding, who makes the decision to assign a
18 new employee to one or more barista trainers?

19 A That's always been the manager, which makes sense, right,
20 because he's doing the scheduling.

21 Q So there's been a little bit of testimony about the
22 pandemic and how it has affected Starbucks locations. Given
23 that you were employed at 37th and Broadway before the onset of
24 the pandemic, can you tell me how -- or what the impacts were,
25 if any, to your store from the COVID shutdowns?

1 A Yes. Well, for large -- for a large portion of that time,
2 our lobby was completely closed, so it was a drive thru only
3 operation. For some portion of that time, the lobby was open
4 for grab-and-go only. So people could come in and place an
5 order and pick it up and leave, but there was no seating and
6 there were no restrooms available. And for part of that time,
7 it was pick up a mobile order only and you couldn't even order
8 in the store. So we've had virtually every combination of --
9 of partial closure that you can imagine, including a complete
10 lobby closure and only a drive thru.

11 Q So is it correct then that -- or let me ask it a different
12 way. Did the store -- did the store ever shut down from the
13 pandemic?

14 A We didn't ever shut down completely. We've always had the
15 drive thru component open.

16 Q There was earlier testimony about employees coming to work
17 in your store from store, I believe it was 9733. Do you have
18 any knowledge as to why that happened?

19 A Yeah. That store was closed.

20 Q And just so we're on the same page, is that the Seattle
21 outlet store (indiscernible)?

22 A Yes.

23 Q Okay.

24 A Sorry for interrupting. Yes.

25 Q So related to borrowing, how often do you borrow at other

1 stores?

2 A Almost never.

3 Q Can you recall the last time that you did?

4 A I think it was around Christmas. There was, like, some
5 snow or something, and I think my store wasn't going to be open
6 or something because of the snow. And so they said, if you
7 want to work, you can go work at this other store.

8 Q Historically, has Christmas been a day where people
9 frequently borrow?

10 A Yes. Because most of the stores in the -- in the area are
11 closed and they just pick specific stores to keep open. And if
12 anyone wants to volunteer to work -- tips are good on that day.
13 So some people -- there's a motivation beyond just wanting to
14 work regular shifts. Tips tend to be good on Christmas. So if
15 someone can -- if someone can -- isn't -- doesn't have other
16 obligations and wants to make good tips, then they could go
17 work -- volunteer to work at one of the open stores.

18 Q Is Christmas the -- is Christmas Day the exception then
19 for borrowing?

20 A Yeah. There's -- we don't have anything like that any
21 other time of the year. That's the biggest borrowing day.

22 Q How often do you see employees borrow into your stores --
23 into your store?

24 A Once again, almost never. Michael, can I say I can't
25 remember the last time that I -- I had a borrow into my store?

1 Q So I'm going to show you what's marked as -- or I'm sorry,
2 what's been admitted as Petitioner Exhibit 7. This is a six-
3 month excerpt of data that Starbucks provided. So it would be
4 from -- let me just check the date here. I believe it's July
5 16th of -- yeah -- July 16th, 2021 to January 16th of 2022. So
6 as we take a look at this, expand these columns out a little
7 bit, you can see that there's this work store in row -- or box
8 A-2 under column work store. There's home store, which is 9733
9 in this case. And so those are -- those two are different.
10 And then if you looked in this final column, row K, borrowed
11 shift, it says true. So if you have a work store and a home
12 store that's different, it will result in true. But if the
13 work store say, for example, row 13 here and the home store are
14 the same, it will result in false. And so if we look here,
15 I've filtered this from largest to smallest, so it moves all
16 the true shifts to the top. Within the last six months,
17 there's 11 rows of true entries, so that would equate to 11
18 borrowed shifts in store 8749. Does that seem accurate to you?
19 Does it represent your experience?

20 A That's consistent with my experience. Honestly, it seems
21 a tiny bit high, but I have no reason to think that this is
22 inaccurate.

23 Q Okay. If you wanted to seek a promotion to shift
24 supervisor, how would you go about doing so?

25 A I would talk to Ming. I would just sit down and have a

1 conversation with him. If there was some piece of paper or
2 something he needed me to fill out, he would tell me then.

3 Q And what about evaluations? Who conducts your
4 evaluations?

5 A Ming.

6 Q And how does he conduct those evaluations?

7 A It's a one-on-one conversation where we sit down and we
8 talk about what I feel my successes are, what I think I could
9 work on, that sort of thing. It's called a partner development
10 conversation, and you fill out your partner development plan
11 during that conversation.

12 Q On these PDCs and PDPs, if you have any task to follow up
13 with, who do you follow up with?

14 A Ming.

15 Q If you feel that your paycheck does not accurately reflect
16 your hours worked, what do you do?

17 A I would talk to Ming. That would be my normal course of
18 action. Can I just add one more thing about that?

19 Q Sure.

20 A Ming -- Ming might ask me to write something in the daily
21 records book to indicate specifically what hours, you know, I
22 think there's a problem with or something or to specify what --
23 what days or times I thought I worked that he didn't know about
24 or something like that. But he would still be the person to --

25 Q When you have borrowed a shift at a different store, what

1 factors do you consider when whether to borrow at that store or
2 not?

3 A Proximity is probably the very first consideration,
4 whether or not it's within my availability for the time of the
5 shift. And I would say those are really the only two
6 considerations.

7 Q Have you ever considered whether a store was within
8 district 125 as a factor for borrowing?

9 A I don't know which stores are within district 125. I
10 would say no.

11 Q (Indiscernible).

12 A I'm going to say no.

13 Q Have you ever been told it's preferred that you borrow at
14 a store within district 125?

15 A I'm going to say no, and I'm also going to say prior to
16 participating in this hearing, I never even heard that -- I
17 never even heard the words district 125. I didn't -- I didn't
18 know that's what our district number was.

19 Q But have you ever been told that if you did not pick up a
20 borrowed shift, that you would be disciplined for failing to do
21 so?

22 A No.

23 Q Do you categorize any borrowed shift as voluntary then?

24 A Yes, definitely.

25 MR. WHITE: Madam Hearing Officer, I have no further

1 questions at this time.

2 HEARING OFFICER FIORIANTI: Okay. Does the Employer have
3 cross?

4 MS. DIECKMAN: Yes. But may I have a moment to organize
5 my notes?

6 HEARING OFFICER FIORIANTI: Sure.

7 Off the record.

8 (Off the record at 12:56 a.m.)

9 HEARING OFFICER FIORIANTI: Okay. Ms. Dieckman?

10 **CROSS-EXAMINATION**

11 Q BY MS. DIECKMAN: Hi, Tom. Is it all right, if I call
12 you Tom?

13 A Yes.

14 Q My name is Ali Dieckman. I'm an attorney at Littler
15 Mendelson, and I'm one of the attorneys representing Starbucks,
16 and I just have a few questions for you. So you mentioned that
17 you work at a really high incident store and that it's related
18 to the transient population in the area, right?

19 A Yes.

20 Q Does Mike ever get involved? Does he ever come to the
21 store to see how things are going after there's some sort of
22 incident?

23 A I don't recall seeing Mike come into the store after an
24 incident, but I can't say for sure whether he may have on some
25 occasion.

1 Q Does he come in -- oh.

2 HEARING OFFICER FIORIANTI: Sorry. Can we just clarify
3 we're talking about Mike Callahan? Is that yes?

4 THE WITNESS: I understood that to be about Mike Callahan.

5 HEARING OFFICER FIORIANTI: Okay. I just want to make
6 sure it's clear to the reader of the record. Thank you.

7 Q BY MS. DIECKMAN: Thank you. Too many Mikes. Sorry, Tom.
8 I'm going to say Michael, if I mean Michael White, and I'm
9 going to say Mike, if I mean Mike Callahan, okay?

10 A Okay.

11 Q Just to keep things clear. So does Mike stop by the store
12 somewhat regularly?

13 A I've seen him quite a lot since the petition process
14 started, but prior to that, I would say I've seen him maybe
15 once or twice a month.

16 Q And when you say the petition, you mean the petition for
17 representation election?

18 A Yes.

19 Q Okay. I just want to make sure that's clear for the
20 record. But you know Mike, right?

21 A I know who Mike is. I've met Mike.

22 Q Have you ever had a one-on-one conversation with Mike?

23 A I don't think I've ever had a one-on-one conversation with
24 Mike in person, although he did solicit a telephone
25 conversation from me once.

1 Q And did you guys talk on the phone?

2 A Yes.

3 Q Were you ever scheduled as a barista trainer to train
4 partners in another store?

5 A Yes.

6 Q But it's my understanding you were not able to make that
7 training because you got sick, right? Okay. You also
8 testified that if you wanted to apply for shift supervisor or
9 you wanted to discuss your partner development plan, you would
10 do that with Ming, right?

11 A Yes. May I amend my previous answer?

12 Q To which question?

13 A Right. To the question about whether or not I was
14 scheduled to work -- or to train someone at another store. I
15 just want to clarify that the initial request was for me to
16 train that partner at my store, but I -- I requested to train
17 that partner at their home store, because I thought it would be
18 more helpful for them to learn where the things were in their
19 store. But yes, eventually that was the plan for me to train
20 them in their home store.

21 Q Right. I guess my question was mostly, were you scheduled
22 to train a partner with a different home store than yours? And
23 so I apologize --

24 A Yes.

25 Q -- if that was unclear.

1 A I'm sorry. I just didn't want to misspeak about that. It
2 is a small detail but it seemed relevant maybe to someone.

3 Q No. It's -- it's important. I want you to be comfortable
4 with your testimony. But so you have your partner development
5 conversations with Ming, and you would talk to Ming if you ever
6 wanted to apply for a shift supervisor, right?

7 A That's what I would do. Yes.

8 Q But you wouldn't have any visibility into what Ming did
9 with that information, right?

10 A Unless he shared it with me, no.

11 Q Got it. You mentioned a couple of times that you borrowed
12 into other stores. It sounds like you've been with the company
13 for a really long time, because you've transferred a few times.
14 Since your home store has been the 37th and Broadway store, do
15 you know what other stores you've borrowed to?

16 A Yes.

17 Q Can you tell me?

18 A 10th and Broadway.

19 Q Is that the only one?

20 A Yes.

21 Q Okay. And the 10th and Broadway store is in Everett,
22 right?

23 A It's down the street. Yes, in Everett.

24 Q Okay. Awesome. Thank you. I have no further questions.

25 HEARING OFFICER FIORIANTI: Any redirect, Mr. White?

1 MR. WHITE: No redirect.

2 HEARING OFFICER FIORIANTI: All right. Thank you, Mr.
3 Bosserman. You are excused.

4 Okay. Let's go off the record.

5 (Off the record at 1:04 p.m.)

6 HEARING OFFICER FIORIANTI: Thank you. Okay. During an
7 off-the-record conversation, I understand, Mr. White, you do
8 not have additional witnesses; is that correct?

9 MR. WHITE: That's correct.

10 HEARING OFFICER FIORIANTI: Great. I'm now -- I now want
11 to introduce Board Exhibit 5, which is a list of current
12 petitions pending in Starbucks locations across the country and
13 their status. Any objection to Board Exhibit 5 coming in?

14 Mr. White?

15 MR. WHITE: No objection.

16 HEARING OFFICER FIORIANTI: Mr. Hammond?

17 MR. HAMMOND: No objection.

18 HEARING OFFICER FIORIANTI: Hearing no objection, Board
19 Exhibit 5 is received.

20 **(Board Exhibit Number 5 Received into Evidence)**

21 HEARING OFFICER FIORIANTI: It's my understanding from an
22 off-the-record discussion, there is no rebuttal from the
23 Employer. Is that right, Mr. Hammond?

24 MR. HAMMOND: That's right.

25 HEARING OFFICER FIORIANTI: All right.

1 I'll also note in the Employer's statement of position,
2 which is Board Exhibit 3, the Employer specifically proposes a
3 Davison-Paxson eligibility formula for part-time employees.
4 While the Board often uses Davison-Paxson to resolve questions
5 of voter eligibility, it doesn't always do that. Nonetheless,
6 it's my understanding that neither party is concerned that
7 there will be a number of part-time employees in either
8 possible unit that will exceed 20 percent of the total unit for
9 whom resolving eligibility other -- under extent Board Law will
10 be an issue. Is that correct, Mr. White?

11 MR. WHITE: That's correct.

12 HEARING OFFICER FIORIANTI: Mr. Hammond?

13 MR. HAMMOND: That's correct.

14 HEARING OFFICER FIORIANTI: Okay. And any employee who
15 either party believes has insufficient hours or otherwise
16 ineligible to vote can vote subject to challenge, and this will
17 be resolved post-election if necessary. Okay.

18 And finally, Mr. White, does the Petitioner seek to be on
19 a ballot in an election if the Regional Director deems the
20 appropriate unit to be other than that petition for?

21 MR. WHITE: Yes.

22 HEARING OFFICER FIORIANTI: Okay. I understand from Board
23 Exhibit 2, the parties have agreed that any election in this
24 matter should be held by mail and that ballots and notices
25 should be printed only in English.

1 Does the Employer have an opinion or a position with
2 respect to eligibility date or the date for mailing the
3 ballots? Mr. Hammond?

4 MR. HAMMOND: Our position is that it would be based on
5 the end of the pay period prior to ballots going out, and we
6 would ask for at least seven days from the receipt of the
7 decision during an election and ballots going out.

8 HEARING OFFICER FIORIANTI: All right. And Mr. White?

9 MR. WHITE: The Petitioner use the same for the payroll
10 date. The Petitioner would request that ballots go out as soon
11 as possible.

12 HEARING OFFICER FIORIANTI: All right. And as noted in
13 Board Exhibit 2, Mr. White, could you confirm if an election is
14 directed, the Petitioner wishes to waive the entire ten-day
15 requirement for having the voter eligibility list?

16 MR. WHITE: That's correct.

17 HEARING OFFICER FIORIANTI: Okay. Are there any other
18 facts that the Regional Director should be aware of before
19 scheduling an election in this case should one be directed?

20 Mr. White?

21 MR. WHITE: No additional facts.

22 HEARING OFFICER FIORIANTI: Mr. Hammond?

23 MR. HAMMOND: No additional facts.

24 HEARING OFFICER FIORIANTI: Okay. Should an election be
25 directed? I understand that the on-site representative to whom

1 the director should transmit the notices of election is Audra
2 Zimmerman. Her address is 2401 Utah Avenue South, Seattle,
3 Washington, 98134. Her phone number is 206-930-0652. And her
4 email address is azimmer@Starbucks.com. Is that correct, Mr.
5 Hammond?

6 MR. HAMMOND: Yes.

7 HEARING OFFICER FIORIANTI: All right. The Regional
8 Director will issue a decision in this matter as soon as
9 practicable and will immediately transmit the document to the
10 parties and their designated representatives by email,
11 facsimile, or by overnight mail. If neither email address nor
12 facsimile number is provided, if an election is directed, the
13 Employer must provide the voter list to be timely filed and
14 served. The voter list must be received by the Regional
15 Director and the parties named in the direction of election
16 within two business days after the issuance of the direction
17 unless a longer period based on extraordinary circumstances is
18 specified in the decision and direction of election. A
19 certificate of service on all parties must be filed with the
20 Regional Director. When the voter lists is filed, the Region
21 does not serve the voter list on the parties.

22 I understand from an off-the-record discussion that in the
23 event the Regional Director orders a mail ballot election, the
24 parties will not agree -- the parties will agree that the
25 ballots that arrive in Region 19 by the due date will be

1 counted and the position of those party -- so the parties will
2 not agree that only the ballots that arrive in the Region 19
3 office by the due date will be counted, and that both parties
4 believe that all ballots that arrive prior to the count should
5 be counted. Is that correct, Mr. White?

6 MR. WHITE: Yes. That's correct.

7 HEARING OFFICER FIORIANTI: Mr. Hammond?

8 MR. HAMMOND: Yes. That's correct. It's our position
9 that all ballots received prior to the count should be counted.

10 HEARING OFFICER FIORIANTI: Thank you.

11 In terms of post-hearing briefs, they will be due in five
12 business days from today, so Monday, March 7th, 2022. Failure
13 to request an expedited copy of the transcript will not be
14 grounds for granting an extension of time to file briefs.

15 Finally, I will emphasize one more time that with respect
16 to the record that the parties agreed in Board Exhibit 2 that I
17 would take administrative notice of the burden is on the
18 parties to specify in their briefs the specific pages and lines
19 they wish the Regional Director to consider. Please cite to
20 the PDF versions, not the Word versions of these records.

21 Is there anything further discussed before we close the
22 hearing, Mr. White?

23 MR. WHITE: Nothing further.

24 HEARING OFFICER FIORIANTI: Mr. Hammond?

25 MR. HAMMOND: Nothing further.

1 HEARING OFFICER FIORIANTI: Hearing nothing, the hearing
2 is now closed. Off the record.

3 **(Whereupon, the hearing in the above-entitled matter was closed**
4 **at 1:14 p.m.)**

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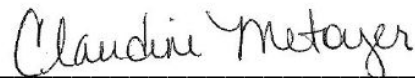
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C E R T I F I C A T I O N

This is to certify that the attached proceedings before the National Labor Relations Board (NLRB), Region 19, Case Number 19-RC-289827, Starbucks Corporation and Workers United, held at the National Labor Relations Board, Region 19, Jackson Federal Building, 915 Second Avenue, Room 2948, Seattle, Washington 98174, on February 28, 2022, at 9:29 a.m. was held according to the record, and that this is the original, complete, and true and accurate transcript that has been compared to the reporting or recording, accomplished at the hearing, that the exhibit files have been checked for completeness and no exhibits received in evidence or in the rejected exhibit files are missing.



CLAUDINE METOYER
Official Reporter